

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.0246 District Postsecondary Career and Technical
Education Enrollment Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule is to adopt enrollment requirements that all students enrolled in postsecondary career and technical education are United States citizens or are lawfully present in the United States.

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1002.32(18), 1004.92(2)(b), 1011.80(12), F.S.

LAW IMPLEMENTED: 1002.34, 1004.92, 1011.80, F.S.

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

DATE AND TIME: August 18, 2026 10:00 a.m.

PLACE: <https://events.teams.microsoft.com/event/f78b854d-7ad2-4249-9126-c343c5ba42a9@63bf107b-cb6f-4173-8c1c-1406bb5cb794?source=copyLinkLegacyShareLinkDialog>

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

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

Section II

Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: RULE TITLE:

61-35.011 Cosmetology Departmental Forms

PURPOSE AND EFFECT: The Department will amend Rule 61-35.011, F.A.C., to update and revise application form DBPR Cosmo 11.

SUMMARY: Within the provided paragraph the Department proposes to amend Rule 61-35.011 to adopt the revised language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the Agency.

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: 455.203, 455.213, 455.2179, 455.219(5), 477.0213 FS

LAW IMPLEMENTED: 455.213, 455.217, 455.2179, 455.219, 455.2228, 455.271, 477.0132, 477.014, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 559.79, 477.0213 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: Stevie Lewis, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1833, stevie.lewis@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.011 Cosmetology Departmental Forms

The following Cosmetology forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)487-1395:

(1) through (10) No Change.

(11) Any person desiring to change the status of his or her cosmetology license shall submit a completed Form DBPR COSMO 11, Individual Change of Status Transactions, effective ~~August 2026~~ ~~May 29, 2012~~, adopted and incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-1982601293>.

(12) through (13) No Change.

Rulemaking Authority 455.203, 455.213, 455.2179, 455.219(5), 477.0213 FS. Law Implemented 455.213, 455.217, 455.2179, 455.219,

455.2228, 455.271, 477.0132, 477.014, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 559.79, 477.0213 FS. History—New 6-14-12, Amended 12-24-18, 3-10-20, 4-1-21, 1-31-23, 7-26-23, 4-29-25, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Stevie Lewis, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1833, stevie.lewis@myfloridalicense.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melanie S. Griffin, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2026 (v. 52, n. 139)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-4.050
RULE TITLE: Procedures to Obtain Permits and Other Authorizations; Applications

PURPOSE AND EFFECT: to establish an Environmental Resource Permit for Water Quality Enhancement Areas and authorize the creation and use of enhancement credits for specified regulatory purposes. This notice supplements corresponding notices of proposed rule to implement s. 373.4134, F.S., for rules in Chapters 62-332 and 62-330, F.A.C. SUMMARY: The rules will create a voluntary water quality enhancement area (WQEA) permit regulated under the Environmental Resource Permitting Program as an individual permit or a conceptual approval permit. Existing rules will be amended to add a processing fee and add WQEAs as a permit category with associated application forms and requirements and make necessary related corrections. New rules will be created to specify application and permit requirements, monitoring requirements, land use protections, and assurances for perpetual operation of the WQEA.

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 Department's economic review, the adoption of the proposed rules do not increase regulatory costs directly or indirectly to the public.

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: 373.043, 373.109, 373.4131, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805, F.S.

LAW IMPLEMENTED: 373.309, 373.409, 373.413, 373.4134, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7), F.S.

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

DATE AND TIME: August 25, 2026, 1:00 p.m. EDT

PLACE: The Department is holding the Hearing at 3900 Commonwealth Boulevard, Tallahassee, FL 32399, Douglas Conference Room 137, as well as virtually. For those participating virtually, please register using this link: <https://events.gcc.teams.microsoft.com/event/ccf1f543-9161-4bf1-b237-4c373207ebd7@679d4c83-aea2-4635-b4f1-9f5012551b6a>

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: Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the American with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov at least ten (10) days before the hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Rach, Division of Water Resource Management, MS #2500, 2600 Blair Stone Road, Tallahassee, FL 32399, by email at Timothy.Rach@FloridaDEP.gov or by phone at (850)245-8015.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications.

(1) through (3) No change.

(4) Processing fees are as follows:

(a) through (g) No change.

(h) Environmental Resource Permits. Processing fees required by the Department and the Northwest Florida Water Management District (NFWFMD) for activities regulated under Chapter 62-330, F.A.C., are listed below. For purposes of determining the applicable processing fee, the terms “activity,” “project,” “project area,” and “works” are as defined in Section 2.0 of the Applicant’s Handbook Volume I incorporated by reference in paragraph 62-330.010(4)(a), F.A.C.

1. through 3. No change.	
4. Individual or conceptual approval permit, excluding permits for a mitigation bank <u>or a water quality enhancement area</u> :	
a. New application – the processing fee for a new permit application shall be as determined from the categories below:	
(I) through (VI) No change.	
(VII) Individual or conceptual approval permit solely for environmental restoration or enhancement, provided such activities are not associated with a mitigation bank <u>or a water quality enhancement area</u> and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S. For purposes of this provision, the term “environmental restoration or enhancement” means an action or actions designed and implemented solely to convert degraded or altered uplands, wetlands, or other surface waters to intact communities typical of those historically present, or to improve the quality and condition of currently degraded wetlands or other surface waters to a more healthy, functional, and sustaining condition for fish, wildlife, and listed species.	\$250.00
(VIII) through (IX) No change.	
b. No change.	
5. Individual or conceptual approval permit for a mitigation bank <u>or a water quality enhancement area</u> :	
a. through b. No change.	
c. Mitigation bank <u>or water quality enhancement area</u> credit release.	\$330.00
d. Mitigation bank <u>or water quality enhancement area</u> credit withdrawal.	\$0.00
6. Minor modification of an individual or conceptual approval permit, including a permit for a mitigation bank <u>or a water quality enhancement area</u> , that does not exceed any of the thresholds in subsection 62-330.315(3), F.A.C.:	

a. through d. No change.

7. through 8. No change.

(i) through (z) No change.

(5) through (8) No change.

Rulemaking Authority 373.026, 373.043, 373.109, 373.4131, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805 FS. Law Implemented 373.109, 373.309, 373.409, 373.413, 373.4134, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7) FS. History–New 5-17-72, Amended 6-19-74, 7-8-82, Formerly 17-4.05, Amended 11-15-87, 8-31-88, 10-3-88, 4-4-89, 3-19-90, 6-11-90, 3-7-91, 3-18-91, 5-30-91, 10-30-91, 11-16-92, 12-21-92, 7-11-93, 2-2-94, Formerly 17-4.050, Amended 11-23-94, 4-30-95, 7-4-95, 12-15-98, 10-22-00, 6-1-01, 1-30-03, 2-19-03, 4-3-03, 5-1-03, 2-7-06, 10-31-07, 4-21-09, 5-9-13, 10-1-13, 2-17-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy Rach

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alexis A. Lambert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 28, 2026

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-330.010	Purpose and Implementation
62-330.054	Individual Permits
62-330.056	Other Conceptual Approval Permits
62-330.060	Content of Applications for Individual and Conceptual Approval Permits
62-330.301	Conditions for Issuance of Individual and Conceptual Approval Permits
62-330.320	Duration of Permits
62-330.351	General Conditions for Conceptual Approval Permits

PURPOSE AND EFFECT: to establish an Environmental Resource Permit for Water Quality Enhancement Areas and authorize the creation and use of enhancement credits for specified regulatory purposes. This notice supplements corresponding notices of proposed rule to implement s. 373.4134, F.S., for rules in Chapters 62-332 and 62-4, F.A.C. SUMMARY: The rules will create a voluntary water quality enhancement area (WQEA) permit regulated under the Environmental Resource Permitting Program as an individual permit or a conceptual approval permit. Existing rules will be amended to add a processing fee and add WQEAs as a permit category with associated application forms and requirements and make necessary related corrections. New rules will be created to specify application and permit requirements, monitoring requirements, land use protections, and assurances for perpetual operation of the WQEA.

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 Department's economic review, the adoption of the proposed rules do not increase regulatory costs directly or indirectly to the public.

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: 373.043, 373.044, 373.4131, 373.4134, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805, F.S.

LAW IMPLEMENTED: 373.309, 373.409, 373.413, 373.4131, 373.4134, 373.4136, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7), 706.04, F.S.

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

DATE AND TIME: August 25, 2026, 1:00 p.m. EDT

PLACE: The Department is holding the Hearing at 3900 Commonwealth Boulevard, Tallahassee, FL 32399, Douglas Conference Room 137, as well as virtually. For those participating virtually, please register using this link: <https://events.gcc.teams.microsoft.com/event/ccflf543-9161-4bf1-b237-4c373207ebd7@679d4c83-aea2-4635-b4f1-9f5012551b6a>

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: Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the American with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov at least ten (10) days before the hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Rach, Division of Water Resource Management, MS #2500, 2600 Blair Stone Road, Tallahassee, FL 32399, by email at Timothy.Rach@FloridaDEP.gov or by phone at (850)245-8015.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-330.010 Purpose and Implementation.

(1) through (3) No change.

(4) This chapter is used in conjunction with an Applicant's Handbook, in two volumes, as follows:

(a) Applicant's Handbook Volume I, "General and Environmental" (hereinafter "Volume I") applies statewide to all activities regulated under Chapter 62-330, F.A.C. It includes explanations, procedures, guidance, standards, and criteria on what is regulated by this chapter, the types of permits available, how to submit an application or notice for a regulated activity to the Agencies, how applications and notices are reviewed, the standards and criteria for issuance, and permit duration and modification. Volume I, including Appendices G, H, I, J, L, M, N, and O only, is incorporated by reference herein, (October 2026) (<https://flrules.org/Gateway/reference.asp?No=Ref-19778>) (~~June 28, 2024~~) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-15342>). The *Federal Guidelines for Inundation Mapping of Flood Risks Associated with Dam Incidents and Failures* (FEMA P-946, July 2013), referenced in Appendix L, is incorporated by reference herein (June 28, 2024) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15343>).

(b) No change.

(5) through (6) No change.

Rulemaking Authority 373.026(2), 373.026(6), 373.043, 373.044, 373.117, 373.118, 373.414(9), 373.418, 373.4131, 373.4145, 403.061, 403.805(1) *FS. Law Implemented* 373.016, 373.026, 373.036, 373.117, 373.406, 373.409, 373.413, 373.4131, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.419, 373.422, 373.423, 373.426, 373.428, 373.429, 373.441, 403.031(14)-(18), 403.031(21), 403.061, 403.067(7), 403.0877, 403.0891, 668.003, 668.004, 668.50, 704.06 *FS. History—New* 10-1-13, *Amended* 6-1-18, 12-22-20, 6-28-24, 4-7-26,_____.

62-330.054 Individual Permits.

(1) through (2) No change.

(3) An application for a mitigation bank permit shall be processed as a type of individual permit, but also is subject to the requirements in Chapter 62-342, F.A.C. If there is a conflict between this chapter and Chapter 62-342, F.A.C., Chapter 62-342, F.A.C., will control.

(4) An application for a water quality enhancement area permit shall be processed as a type of individual permit but also

is subject to the requirements in Chapter 62-332, F.A.C. If there is a conflict between this chapter and Chapter 62-332, F.A.C., Chapter 62-332, F.A.C., will control.

~~(5)(4)~~ No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.4134, 373.4136, 373.414(9), 373.4145, 373.416, 373.418, 373.426 FS. History—New 10-1-13, Amended 6-1-18,_____.

62-330.056 Other Conceptual Approval Permits.

(1) No change.

(2) A conceptual approval permit does not authorize any construction, alteration, operation, maintenance, removal, or abandonment, or the establishment and operation of a mitigation bank or a water quality enhancement area. Issuance of a conceptual approval permit does not relieve the holder of such a permit of any requirements to obtain a permit to construct, alter, operate, maintain, remove, or abandon projects that require a permit under this chapter, or to establish and operate a mitigation bank or a water quality enhancement area.

(3) An application for a conceptual approval permit shall be prepared and submitted using the procedures in Rule 62-330.060, F.A.C., and sections 4.2.3, 4.2.3.1, 4.3, and 4.4 of Volume I, in addition to either of the following (if applicable):-
~~An application for conceptual approval for a mitigation bank also shall include the materials required by Chapter 62-342, F.A.C.~~

(a) An application for conceptual approval for a mitigation bank also shall include the materials required by Chapter 62-342, F.A.C.

(b) An application for conceptual approval for a water quality enhancement area also shall include the materials required by Chapter 62-332, F.A.C.

(4) The application shall be reviewed and acted on in accordance with this section, Rules 62-330.062, 62-330.071, 62-330.075, 62-330.090, 62-330.301, and 62-330.302, F.A.C., and the Applicant's Handbook. Agency review and action also shall be in accordance with Chapter 62-342, F.A.C., when the conceptual approval application involves a mitigation bank, and in accordance with 62-332, F.A.C., when the conceptual approval application involves a water quality enhancement area.

(5) through (13) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.4134, 373.4136, 373.414(9), 373.4145, 373.416, 373.418, 373.426 FS. History—New 10-1-13, Amended 6-1-18,_____.

62-330.060 Content of Applications for Individual and Conceptual Approval Permits.

Materials to include in an application or notice for a permit are described below. Applicants are encouraged to have a pre-application meeting or discussion with Agency staff prior to submitting the application or notice.

(1) An application for an individual permit or conceptual approval permit shall be made on Form 62-330.060(1), "Application for Individual and Conceptual Approval Environmental Resource Permit, State 404 Program Permit, and Authorization to Use State-Owned Submerged Lands", including the information required in the applicable Sections A through J (October 2026) ~~I (December 22, 2020)~~, incorporated by reference herein

(<https://flrules.org/Gateway/reference.asp?No=Ref-19777>)

~~(<https://www.flrules.org/Gateway/reference.asp?No=Ref-12036>)~~, a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., or by use of the equivalent e-application form of the applicable Agency. Attachments 1, 2, and 3 of the form (containing agency contacts and a summary of the application fees related to applications and notices) are not incorporated by reference, but are available at <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>.

(2) through (4) No change.

Rulemaking Authority 373.044, 373.113, 373.171, 373.4131 FS. Law Implemented 373.042, 373.413, 373.4131, 373.416, 668.003, 668.004, 668.50 FS. History—New 10-1-13, Amended 6-1-18, 12-22-20,_____.

62-330.301 Conditions for Issuance of Individual and Conceptual Approval Permits.

(1) through (5) No change.

(6) In addition to the criteria in Chapter 62-330, F.A.C., applications for a water quality enhancement area must also meet the criteria of Chapter 62-332, F.A.C.

(6) through (7) renumbered (7) through (8) No change.

~~(9)(8)~~ Forms for recording of a conservation easement in the public records in favor of the Agency shall be in substantial conformance with the forms incorporated by reference below, a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. The use of these forms shall constitute consistency with section 704.06, F.S. Where the applicant demonstrates that project specific conditions necessitate deviation from language of the accepted forms, alternative language shall be accepted provided that the intent of Section 704.06, F.S., and section 10.3.8 of Volume I continue to be met:

(a) through (q) No change.

(r) Form 62-330.301(27), “Deed of Conservation Easement for Water Quality Enhancement Areas,” (October 2026) (<https://flrules.org/Gateway/reference.asp?No=Ref-19776>).

(9) through (10) renumbered (10) through (11) No change.
Rulemaking Authority 373.026(2), 373.026(4), 373.026(7), 373.043, 373.117, 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.016, 373.026, 373.042, 373.109, 373.117, 373.403, 373.409, 373.413, 373.4131, 373.4132, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.422, 373.423, 373.426, 373.429, 403.061, 403.067(7), 403.0891, 668.003, 668.004, 668.50, 704.06 FS. History—New 10-1-13, Amended 6-1-18, 6-28-24,

62-330.320 Duration of Permits.

Unless revoked, extended or otherwise modified, the duration of a permit under this chapter is:

(1) through (5) No change.

(6) Water quality enhancement area permit – As provided in subsection 62-332.350(3), F.A.C.

(7)(6) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4131, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118, 373.413, 373.4131, 373.4134, 373.4136, 373.4142, 373.4145, 373.416, 373.426 FS. History—New 10-1-13, Amended 6-1-18, Reviewed 7-17-26, Amended.

62-330.351 General Conditions for Conceptual Approval Permits.

The following general conditions are binding on all conceptual approval permits issued under this chapter, except where the conditions are not applicable to the activity or where the conditions must be modified to accommodate project-specific situations. In addition to these general conditions, the Agency shall impose any additional special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

(1) through (5) No change.

(6) This conceptual approval permit only authorizes design concepts for a master or future plan to construct, alter, operate, maintain, remove, or abandon projects that require a permit under Part IV of Chapter 373, F.S. It does not authorize any construction, alteration, operation, maintenance, removal, or abandonment, or the establishment and operation of a mitigation bank or a water quality enhancement area, or relieve the permit holder of any requirements to obtain such permits.

(7) Subsequent applications to construct and operate activities shall be prepared and submitted using the applicable procedures in Rules 62-330.052, 62-330.054, 62-330.060, and 62-330.402, F.A.C., and sections 4.2.2, 4.2.3, 4.3, and 4.4 of Volume I. An application for conceptual approval for a mitigation bank shall also include the materials required by

Chapter 62-342, F.A.C. An application for conceptual approval for a water quality enhancement area shall also include the materials required by Chapter 62-332, F.A.C.

(8) through (9) No change.

Rulemaking Authority 373.026(7), 373.118(1), 373.043, 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.116, 373.117, 373.118(1), 373.406(5), 373.409, 373.413, 373.4131, 373.414(9), 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.422, 373.423, 373.426, 373.428, 403.0877 FS. History—New 6-1-18, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Timothy Rach

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alexis A. Lambert

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 28, 2026

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:

62-332.100	Scope and Intent
62-332.200	Definitions
62-332.300	General Requirements
62-332.350	WQEA Permit and WQEA Conceptual Approval Permit Applications
62-332.400	Establishment of Enhancement Credits
62-332.500	Service Area and Enhancement Credit Locational Valuation Factor Adjustments
62-332.530	Perpetual Protection of Water Quality Enhancement Areas
62-332.550	Financial Responsibility
62-332.600	Enhancement Credit Transactions and Credit Use
62-332.700	Enhancement Credit Tracking
62-332.800	Enhancement Credit Monitoring and Continuing Credit Verification
62-332.900	Compliance and Enforcement
62-332.920	Surrender or Transfer of Water Quality Enhancement Area Permits

PURPOSE AND EFFECT: to establish an Environmental Resource Permit for Water Quality Enhancement Areas and authorize the creation and use of enhancement credits for specified regulatory purposes. This notice supplements corresponding notices of proposed rule to implement s. 373.4134, F.S., for rules in Chapters 62-330 and 62-4, F.A.C.

SUMMARY: The rules will create a voluntary water quality enhancement area (WQEA) permit regulated under the Environmental Resource Permitting Program as an individual permit or a conceptual approval permit. Existing rules will be amended to add a processing fee and add WQEAs as a permit category with associated application forms and requirements and make necessary related corrections. New rules will be

created to specify application and permit requirements, monitoring requirements, land use protections, and assurances for perpetual operation of the WQEA.

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 Department's economic review, the adoption of the proposed rules do not increase regulatory costs directly or indirectly to the public.

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

RULEMAKING AUTHORITY: 403.067(9), 403.805, F.S.

LAW IMPLEMENTED: 403.067, F.S.

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

DATE AND TIME: August 25, 2026, 1:00 p.m. EDT

PLACE: The Department is holding the Hearing at 3900 Commonwealth Boulevard, Tallahassee, FL 32399, Douglas Conference Room 137, as well as virtually. For those participating virtually, please register using this link: <https://events.gcc.teams.microsoft.com/event/ccf1f543-9161-4bf1-b237-4c373207ebd7@679d4c83-aea2-4635-b4f1-9f5012551b6a>

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: Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the American with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov at least ten (10) days before the hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Rach, Division of Water

Resource Management, MS #2500, 2600 Blair Stone Road, Tallahassee, FL 32399, by email at Timothy.Rach@FloridaDEP.gov or by phone at (850)245-8015.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-332.100 Scope and Intent.

(1) The Department finds that, in certain instances, the improvement of water quality and adverse water quality impacts of activities regulated under Part IV of Chapter 373, Florida Statutes (F.S.), may be addressed by the construction, operation, maintenance, and long-term management of water quality enhancement areas ("WQEAs") that provide offsite compensatory treatment. This chapter establishes the requirements of an environmental resource permit ("ERP") for water quality enhancement areas that would be permitted under Chapter 62-330, F.A.C., and the generation, valuation, award, release, and use of water quality enhancement credits providing offsite compensatory treatment under Section 373.4134, F.S. This chapter establishes applicable requirements for a water quality enhancement area permit under Chapter 62-330, F.A.C., Environmental Resource Permitting.

(2) The Department is responsible for reviewing the applications for the construction, operation, maintenance, and long-term management of WQEAs. Any agency authorized to issue an ERP in accordance with Part IV of Chapter 373, F.S., excluding WQEA applications, can authorize the use of enhancement credits in accordance with this Chapter.

(3) The water quality enhancement credit transactions authorized in this chapter are intended to provide flexibility to ERP applicants for the purpose of achieving net improvement under Section 373.414(1)(b)3., F.S., or satisfying ERP performance standards under Section 373.4131, F.S.

(4) This chapter is supplemental to the rules promulgated under Part IV of Chapter 373, F.S., Chapter 62-306, F.A.C., and Chapter 62-330, F.A.C., and does not supersede any requirements therein nor prohibit or limit any activities allowed therefrom. Rule 62-330.010, F.A.C., incorporating the Applicant's Handbook Volume I and Volume II for each Water Management District is incorporated by reference herein.

Rulemaking Authority 373.4134, 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.200 Definitions.

(1) "Agency" means the Department of Environmental Protection, the water management districts, and local governments delegated authority to implement the environmental resource permit program under Part IV of Chapter 373, F.S., in accordance with Section 373.441, F.S.

(2) “Credit Purchaser” means an entity that seeks to purchase water quality enhancement credits for the purpose of achieving net improvement under Section 373.414(1)(b)3., F.S., or satisfying ERP performance standards, or a governmental entity that seeks to purchase water quality enhancement credits to meet an assigned BMAP allocation or RAP.

(3) “Department” means the Florida Department of Environmental Protection.

(4) “District” means a water management district as established in Chapter 373, F.S.

(5) “Endowment Holder” means a charitable nonprofit corporation that (a) is a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code, under the Florida Not For Profit Corporation Act, Chapter 617, Florida Statutes, and under the Florida Uniform Prudent Management of Institutional Funds Act, Chapter 617, Florida Statutes, and (b) has accepted funds from the Water Quality Enhancement Area Owner to be held in trust for the benefit of the Water Quality Enhancement Area property and its perpetual management, maintenance, and monitoring. The Endowment Holder must demonstrate to the Department that the organization has the necessary fiduciary experience and qualifications to manage the endowment funds for perpetual management activities. The Endowment Holder must have a diversified investment portfolio governed by an investment policy statement for such purposes in excess of \$125 million.

(6) “Enhancement credit” or “credit” means the standard unit of measure that represents a quantity of pollutant removed from a water quality enhancement area.

(7) “Investment Manager” means an entity or individual that is a Registered Investment Adviser (RIA) with the U.S. Securities and Exchange Commission (SEC) or state securities regulatory agency and whose operations are regulated and examined by a federal agency or an agency of the State of Florida. The Water Quality Enhancement Area Owner shall provide documentation evidencing proof of such regulation and examination to the Department.

(8) “Locational Valuation Factor” (“LVF”) means a numeric adjustment applied to enhancement credits to account for differences in pollutant transport and variability between the Water Quality Enhancement Area and the credit purchaser’s discharge location. The LVF reflects the relative impact of pollutant attenuation between one location compared to another regardless of which entity is hydrologically upstream of the other and is calculated for each pollutant using approved numerical models or analytical tools. The LVF incorporates: (a) a Transport Factor, which accounts for attenuation of pollutants between hydrologically connected points, and (b) a Variability Factor, which accounts for concentration variability within the target waterbody.

(9) “Natural system” means an ecological system supporting aquatic and wetland-dependent natural resources, including fish, and aquatic and wetland-dependent wildlife habitats.

(10) “Release” means a permit modification by the Department wherein enhancement credits are awarded to the Water Quality Enhancement Area ledger and are made available for withdrawal.

(11) “Reservation Letter” means a letter from a WQEA Owner to a credit purchaser wherein the WQEA Owner commits to reserve a specified amount and type of Enhancement Credits for a specified time. A Reservation Letter may only be issued for Enhancement Credits which have been released to the WQEA Ledger and are available for withdrawal. A proof of purchase or e-Permit submittal may be an acceptable form of a Reservation Letter provided that the above information is included.

(12) “Target Waterbody” means the Hydrologic Unit Code (“HUC”) 12 subwatershed that contains the credit purchaser’s project and is within the WQEA service area.

(13) “Water quality enhancement area” or (“WQEA”) means a natural system constructed, operated, managed, and maintained for the purpose of providing offsite regional treatment for which enhancement credits may be provided pursuant to a water quality enhancement area permit.

(14) “Water quality enhancement area permit” or “WQEA permit” means an Environmental Resource Permit issued for a water quality enhancement area which authorizes the construction, operation, management, and maintenance of a water quality enhancement area and the purchase and sale of enhancement credits.

(15) “Withdrawal” means a permit modification approved by the Department wherein released enhancement credits are deducted from the WQEA ledger.

(16) “WQEA Construction Phase” or “Construction Phase” means the period necessary to implement the permitted work including, but not limited to, implementing site security measures; construction and installation of water quality treatment systems; installation of hydrologic control devices, technologies, and best management practices; and conducting initial earth moving and land management activities. This phase begins with implementation of any permit required activities and ends with the Department’s acceptance of the As-Built Certification, if required.

(17) “WQEA Operation and Maintenance Phase” or “Operation and Maintenance Phase” means the phase following the WQEA Construction Phase when permitted activities are conducted to achieve water quality improvement conditions and enhancement credit generation described in the WQEA Permit performance and success criteria monitoring and verification plan in accordance with Rule 62-332.800, F.A.C. This phase

ends with a Department determination that the defined success criteria and targets set forth in the WQEA Permit have been met and all enhancement credits have been released.

(18) “WQEA Owner” or “Owner” means an entity that has a real property interest as described in section 4.2.3(d) of Applicant’s Handbook Volume I, to construct, operate, maintain, and be responsible for the perpetual management of a water quality enhancement area.

(19) “WQEA Perpetual Management Phase” or “Perpetual Phase” means the phase following full implementation of the construction phase and operation and maintenance phase – where the WQEA has achieved success and all enhancement credits have been released as prescribed in the WQEA permit. Perpetual water quality improvements and land management activities shall be implemented and maintained in accordance with the WQEA permit and this rule.

Rulemaking Authority 373.4134 FS. Law Implemented 373.4134 FS. History–New.

62-332.300 General Requirements.

(1) A WQEA Owner shall generate and maintain enhancement credits in perpetuity by constructing and operating water quality improvement projects utilizing natural systems including, but not limited to, constructed wetlands or minor impoundments that reduce pollutants to a receiving waterbody or water segment.

(2) The construction, operation, management, and maintenance of a WQEA shall be permitted by the Department through the ERP process pursuant to Chapter 62-330, F.A.C., and this chapter.

(3) Enhancement credits must be generated and sold by a WQEA Owner in accordance with this chapter and the conditions of the WQEA permit.

(4) A governmental entity may be a WQEA Owner and use the credits generated by the WQEA permit for its own water quality needs, such as, but not limited to, providing offsite water quality compensation for that government’s own development projects. However, a governmental entity may not sponsor, fund, or otherwise construct, operate, manage, or maintain a WQEA for the purpose of selling enhancement credits to third parties.

(5) No portion of a WQEA shall be authorized to meet the mitigation, water quality treatment, or compensatory requirements of any other permit or regulatory program, except for BMAPs and RAPs and as otherwise authorized in this chapter.

(6) Reductions in pollutant loading required under any state regulatory program are not eligible to generate enhancement credits.

(7) WQEAs may not be established on lands purchased for conservation pursuant to the Florida Forever Act or the Florida Preservation 2000 Act.

(8) WQEAs shall not be constructed wholly over surface waters of the State, as defined in Section 403.031(23), F.S., or be constructed in such a manner that the system severs a portion of a surface waters of the State.

(9) As provided by s. 373.4134(7)(j), F.S., the agency shall deny the use of enhancement credits when the agency is not reasonably assured that the use of the credits will not cause or contribute to a violation of water quality standards, even if the project being implemented by the credit purchaser is within the WQEA service area. The agency will approve the use of enhancement credits if the agency receives a request for the use of enhancement credits and the credit purchaser reasonably assures the agency through modeling, or other evaluations, or a combination thereof, that such use will not cause or contribute to a violation of water quality standards.

(10) The issuance of a WQEA permit does not eliminate the Owner’s obligation to comply with all requirements of Chapter 62-330, F.A.C., pertaining to adverse impacts to water quantity, water quality, and adjacent lands or wetlands.

(11) The issuance of a WQEA permit does not preclude the responsibility of the Owner to obtain other applicable federal, state, and local permits for construction activities associated with the WQEA.

Rulemaking Authority 373.4134, 403.805 FS. Law Implemented 373.4134, 403.067 FS. History–New.

62-332.350 WQEA Permit and WQEA Conceptual Approval Permit Applications.

(1) Any person or entity proposing to establish a WQEA must apply for a WQEA Permit. An application for a WQEA Permit shall also constitute an application for an ERP under Chapter 62-330, F.A.C. WQEA Permit applications shall be processed according to Chapter 62-330, F.A.C. The Department will process and take action on all permit applications under Part IV of Chapter 373, F.S., necessary for the implementation of any WQEA.

(2) A person or entity may apply for a WQEA Conceptual Approval permit to obtain estimates of the legal and financial requirements necessary for the WQEA, information necessary for evaluation of the WQEA Permit application, and potential enhancement credits to be awarded pursuant to the WQEA Permit. The WQEA Conceptual Approval permit does not authorize the use or withdrawal of enhancement credits or any construction within the proposed WQEA. The level of detail provided in the WQEA Conceptual Approval permit will depend on the level of detail submitted with the application.

(3) A WQEA Permit shall automatically expire five years from the date of issuance if the Owner has not recorded a

conservation easement over the real property within the WQEA in accordance with the WQEA Permit or if construction has not been completed pursuant thereto. Except as provided above, a WQEA Permit shall be perpetual unless revoked or modified in accordance with Rule 62-332.920, F.A.C.

(4) To provide the Department with reasonable assurances that the proposed WQEA will meet the criteria in Section 373.4134, F.S., and in this chapter, and that any proposed system will meet conditions of issuance and applicable criteria of Chapter 62-330, F.A.C., each WQEA Permit application submitted to the Department shall include the information required under Chapter 62-330, F.A.C., as applicable, and the information specified below as appropriate for the proposed project:

(a) Description of the location of the proposed WQEA which shall include:

1. Map at regional scale showing the project area in relation to the regional watershed and proposed WQEA service area;

2. Vicinity map showing the project area in relation to adjacent lands and offsite areas of ecologic or hydrologic significance which could affect the perpetual viability or ecological and hydrological value of the WQEA;

3. Aerial photograph identifying boundaries of the project area;

4. Map or survey showing legal access to the WQEA for site inspection; and

5. Legal description of the proposed WQEA.

(b) Description and assessment of current site conditions which shall include:

1. Soils map of the project area;

2. Topographic map including hydrologic features of the project area and adjacent hydrologic contributing and receiving areas;

4. Geotechnical report of the project area within or adjacent to sensitive karst areas;

5. Vegetation description and map of the project area;

6. Existing ecological and hydrological conditions of the regional watershed that includes the project area;

7. Adjacent lands, including existing land uses and conditions, projected land uses according to comprehensive plans adopted pursuant to Chapter 163, F.S., by local governments having jurisdiction, and any special designations or classifications associated with adjacent lands or waters;

8. Hydrologic/Hydraulic conditions of the site, including runoff, water storage, and any existing water quality treatment occurring on-site; and

9. Disclosure by the Owner of any material fact that would affect the contemplated use of the property.

(c) Description of the ecological and hydrological benefits of the proposed WQEA to the regional watershed in which it is located.

(d) Identify and document the numerical model or analytical tool, inputs, and results, used to establish the efficacy of the WQEA as described in Rules 62-332.400, F.A.C., and 62-332.500, F.A.C.

(e) Assessment of anticipated pollutant load reductions or other nutrients to be removed annually from the WQEA.

(f) A design plan describing the actions proposed to establish and construct the WQEA which shall include, as applicable:

1. Construction drawings detailing proposed topographic alterations, and all structural components associated with proposed activities;

2. Proposed construction activities, including a detailed schedule for implementation;

3. The proposed vegetation planting scheme and detailed schedule for implementation; and

4. Measures to be implemented during and after construction to avoid adverse impacts related to proposed activities.

(g) Proposed performance and success criteria monitoring and verification plan in accordance with Rule 62-332.800, F.A.C.

(h) Detailed perpetual management plan comprising all aspects of continued water quality improvements, water quality monitoring, and land management activities such as, but not limited to, maintenance and replacement of hydrologic control devices, structures, vegetation establishment, exotic and nuisance species control, fire management, and control of access to ensure long-term pollutant reduction.

(i) Evidence of sufficient legal or equitable interest in the property which is to become the WQEA meeting the requirements of Rule 62-330.060, F.A.C.

(j) Draft documentation of financial responsibility meeting the requirements of Rule 62-332.550, F.A.C.

(k) Draft documentation of the conservation easement which shall, at a minimum, meet the requirements and restrictions of Section 704.06, F.S., and Rule 62-332.530, F.A.C.

(l) Any additional information that the Department requests in order to evaluate whether the proposed WQEA meets the criteria of Chapter 62-330, F.A.C., and this chapter, including supporting information for the establishment of enhancement credits and enhancement credit Locational Valuation Factor adjustments within the WQEA service area in accordance with Rules 62-332.400 and 62-332.500, F.A.C., respectively.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.400 Establishment of Enhancement Credits.

(1) The Department will award enhancement credits to the WQEA, or phases thereof, based upon the information submitted in the WQEA permit application and the following:

(a) The assessment of anticipated pollutant load reductions or other nutrients to be removed annually from the WQEA.

(b) The award of enhancement credits generated by a WQEA shall be based on standard numerical models or analytical tools that establish the ability of the WQEA to remove pollutants or their constituents and shall consider the uncertainty between the numerical models or other analytical tools used to estimate the expected removal of pollutants and the actual pollutant removal from the proposed WQEA.

(c) Credits must be based on a standard unit of measure of the specific pollutants removed annually, which must be greater than any reductions needed to satisfy the requirements in Chapter 62-330, F.A.C., and, if applicable, required by a BMAP or adopted RAP.

(2) The WQEA permit application must include a proposed credit release schedule based on conservative estimates including, but not limited to, expected hydrologic variations. The release schedule shall consider the uncertainty between the numerical models or other analytical tools used to estimate the expected removal of pollutants, and the actual pollutant removal from the proposed WQEA.

(3) The number of credits and schedule for release shall be based upon the performance criteria for the WQEA and the success criteria for each activity. No credits shall be released until the requirements of paragraphs 62-332.550(4)(c) and 62-332.550(12)(c), F.A.C., and after the WQEA is transferred to the Operation and Maintenance Phase and subsections 62-332.900(1) and (2), F.A.C., are met for the first year after transfer. The final release of all enhancement credits awarded will only occur after the WQEA meets all of the success criteria specified in the permit for the WQEA Operation and Maintenance Phase and upon transfer to the WQEA Perpetual Management Phase.

(4) If the WQEA is located within a BMAP or adopted RAP, the Owner must use the most recent numerical models or analytical tools used for that BMAP or adopted RAP in the WQEA permit application, except as provided in subsection (5) below.

(5) If the WQEA is not located within a BMAP or adopted RAP, or the Department determines that the numerical model or analytical tool used for the applicable BMAP or adopted RAP is not appropriate for determining the pollutant loading reductions for the proposed WQEA, the Owner must either:

(a) use another standard numerical model or analytical tool that has been approved by the Department or

(b) propose and submit a numerical model or analytical tool for Department review and approval for the proposed WQEA.

(6) A WQEA Permit application must identify and document the numerical model or analytical tool, inputs, and results used to establish the efficacy of the WQEA, including all information to support the permit application required by Rule 62-330.054, F.A.C., and any other information required by this chapter relevant to substantiate the level of pollutant load reduction generated. At a minimum, the application must contain:

(a) Rainfall data over the longest period of record available, either from an authoritative source such as the Global Historical Climatology Network or Florida Automated Weather Network, or collected from the closest site to the proposed WQEA, preferably within the same drainage basin.

(b) Anticipated water quality and quantity inflows over a wide range of climatic conditions that captures interannual variation to the proposed WQEA, based on published local data collected over a period of record that most closely matches the rainfall data collected under subsection (6)(a) above.

(c) Site-specific conditions affecting the anticipated performance of the proposed WQEA, including the proposed treatment type for stormwater treatment and the anticipated associated reduction rates as demonstrated by the performance of other areas where the same treatment type has been established and has operated over a minimum of two consecutive wet and dry seasons.

(d) Data provided under this subsection must be from monitoring stations the Department deems sufficient to determine flows and local water quality conditions.

(e) Any other supporting information deemed necessary by the Department for determining the establishment of enhancement credits pursuant to the provisions of this section.

(7) The Owner shall provide reasonable assurance that the WQEA's credited pollutant load reduction will be achieved annually.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New _____.

62-332.500 Service Area and Enhancement Credit Locational Valuation Factor Adjustments.

(1) The WQEA service area includes the geographic area of hydrologically connected waters within which the WQEA could reasonably be expected to offset pollutant contributions that cause or contribute to the failure of the waterbody or water segment to meet applicable water quality criteria. Service areas may overlap, and more than one service area may be approved within a regional watershed.

(2) The geographical boundaries of the water quality enhancement service area will be determined by modeling

provided by the WQEA Owner outlining the area within which the WQEA could reasonably be expected to reduce impacts given the attenuation of the applicable pollutant downstream of the WQEA, and must at a minimum consist of a Hydrologic Unit Code 8 (HUC 8) sub-basin as set forth by the United States Geological Survey.

(3) The credit purchaser's project must be located within the water quality enhancement service area and be hydrologically connected to the WQEA from which credits are purchased.

(4) Numerical models or other analytical tools must be capable of evaluating the fate and transport of the pollutant(s) of concern within the WQEA service area and shall be reviewed and approved by the Department at the time of application.

(5) The agency will adjust the number of credits required for the credit purchaser's project using the applicable location valuation factor (LVF) below or an equivalent valuation model as proposed by the WQEA Owner in the application.

(a) The LVF will be based on numerical models or other analytical tools provided by the WQEA permit application that account for uptake of the pollutants over a distance and shall account for the attenuation between the closest hydrologically connected points between the WQEA and the credit purchaser's project that is within the WQEA's service area.

(b) The LVF is calculated and applied independently for each pollutant subject to a credit purchase.

(c) The LVF shall be calculated as the Transport Factor (TF) multiplied by the Variability Factor (VF) for the target waterbody, as shown below:

$$LVF = TF * VF.$$

1. The TF shall be calculated as $TF = 1/(1 - \text{Attens}_s)$, where Attens_s is the attenuation between the WQEA's point of discharge and the credit purchaser's point of discharge.

a. The modeled attenuation factor represents the proportion of pollutant reduction during downstream transport in water between the discharge points of the WQEA and credit purchaser regardless of which discharge is hydrologically upstream of the other. For purposes of this chapter, the attenuation factor shall be expressed as a continuous linear range that is greater than or equal to 0.00 and less than 1.00, where 0.00 indicates no attenuation, 0.50 indicates 50% reduction, and 1.00 indicates complete removal.

b. The TF shall be set to a value of no lower than 2 if the WQEA's point of discharge is downstream of the credit purchaser's project.

2. The VF shall be calculated as the 95th percentile concentration divided by the geometric mean concentration within the Target Waterbody for the pollutant to be offset through a credit purchase, as shown below.

$VF = 95^{\text{th}} \text{ percentile concentration} / \text{geometric mean concentration}.$

a. The period of record used to calculate the VF will be reviewed and approved by the Department; however, at a minimum it must consist of at least five years of measured or modeled data reflecting current conditions within the Target Waterbody.

b. The 95th percentile shall be set to the maximum result if there are fewer than 20 values in the available period of record.

c. For nutrients, the values used to calculate the geometric mean and 95th percentile shall be annual geometric means (AGMs) concentrations following the data sufficiency requirements specified in subsection 62-302.531(6), F.A.C.

3. The LVF shall be set to 1.0 if the calculated LVF is less than 1.0.

a. The number of credits required by a credit purchaser must be calculated as follows: Number of Credits Required = (Number of standard units of measure for pollutant removed annually required for treatment) x LVF.

b. The LVF formula shall not be used to reduce the number of credits required for treatment below the quantity of pollutant removed annually.

c. The numerical models used to determine the LVF described in (a) shall be updated at least every 10 years by the WQEA Owner as a minor modification until all credits have been withdrawn from the ledger and the WQEA is operating under perpetual management.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New.

62-332.530 Perpetual Protection of Water Quality Enhancement Areas.

(1) Before enhancement credits may be released to a WQEA or any phase of a WQEA, the WQEA Owner shall cause a conservation easement to be conveyed to the Department. The grantor of a conservation easement may convey a conservation easement to additional grantees, but such conveyance shall be subordinate to the conservation easement granted to the Department.

(2) All conservation easements shall be granted in perpetuity without encumbrances, unless such encumbrances do not adversely affect the hydrology and water quality improvement effectiveness of the WQEA. All conservation easements shall be of a form and content sufficient to ensure protection of the WQEA according to the permit, and shall, at a minimum, meet the requirements and restrictions of Section 704.06, F.S., except as provided in subsection 62-332.530(7), F.A.C. Forms for recording a conservation easement are incorporated by reference in Rule 62-330.301, F.A.C. The conservation easement shall also provide that the WQEA Owner shall have access to the property and the authority to perform all acts necessary to ensure compliance with the WQEA Permit (unless the WQEA Owner is the fee owner of

the property), and that the Department shall have access and the authority to perform these acts if the WQEA Owner fails to do so.

(3) As part of providing reasonable assurance that the WQEA site will be protected in perpetuity, the grantor of the conservation easement shall provide the following unless the Department determines during the permit review process such items are not necessary to ensure protection of the WQEA according to the permit:

(a) A boundary survey of the real property interest being conveyed. The survey must be certified, by a land surveyor and mapper, registered in the State of Florida, to meet the requirements of the Department and the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers in Rules 5J-17.050 through 5J-17.052, F.A.C., under Section 472.027, F.S.

(b) A certified appraisal or other equivalent documentation demonstrating the market value of the interest to be conveyed to determine the appropriate amount of title insurance.

(c) A marketable title commitment issued to the Department as beneficiary in an amount at least equal to the fair market value, as established in paragraph 62-332.530(3)(b), F.A.C., of the interest being conveyed. An owner's title insurance policy (ALTA Form B) naming the Department as beneficiary shall be issued to the Department within the time frames specified by the permit. The coverage, form and exceptions of the title insurance policy shall ensure that the WQEA will be protected according to the WQEA Permit.

(d) A current Phase I environmental site assessment identifying any environmental problems which may affect the liability of the Department and any additional site assessments as are necessary to ensure that the Department is not subject to liability under federal or state laws relating to the treatment or disposal of hazardous substances or ownership of land upon which hazardous substances are located, or to ensure that there are no hazardous substances present on the property which would adversely affect construction, operation, and perpetual management of the WQEA.

(4) The Department shall require additional documentation or actions from the grantor of the conservation easement if necessary to ensure that the WQEA will be protected in accordance with the WQEA Permit.

(5) The WQEA Owner shall pay the documentary revenue stamp tax and all other taxes or costs associated with the conveyance, including the cost of recording the conservation easement and any other recordable instruments required by the Department, unless prohibited or exempt by law, as a condition of the receipt of the conveyance.

(6) All real estate taxes and assessments which are or which may become a lien against the property recorded prior to recording the conservation easement shall be satisfied of record

by the WQEA Owner before recording the conservation easement. If necessary, the WQEA Owner shall, in accordance with Section 196.295, F.S., place funds in escrow with the county tax collector. The WQEA Owner shall also provide the Department with annual documentation demonstrating that such taxes and assessments have been paid.

(7) As a condition of receipt of the conveyance, the WQEA Owner shall remove all abandoned personal property, solid waste, or hazardous substances from the property that the Department determines: will reduce the proposed hydrology and water quality improvement efficiency of the property; will adversely affect the construction, operation, or management of the WQEA; or will adversely affect the construction, alteration, operation, maintenance, abandonment or removal of any surface water management system to be constructed in the WQEA.

(8) The WQEA Owner shall record the conservation easement required in the WQEA Permit. The WQEA Owner shall submit to the Department the original recorded conservation easement within 14 days of such recordation for the associated real property.

Rulemaking Authority 373.4134, 403.805 FS. Law Implemented 373.4134 FS. History—New _____.

62-332.550 Financial Responsibility.

(1) To provide reasonable assurances that the proposed WQEA will meet the requirements of Section 373.4134, F.S., this Rule, and the associated permit conditions, Owners shall provide proof of financial responsibility for: (a) the WQEA Operation and Maintenance Phase and (b) the WQEA Perpetual Management Phase, as required in this Rule. Governmental entities shall provide proof of financial responsibility under subsection 62-332.550(15), F.A.C. The amount of financial responsibility provided in the mechanisms required in this Rule shall be based on the cost estimates determined under subsection 62-332.550(13), F.A.C.

(2) Submitting Financial Responsibility Documentation. The Owner shall provide draft documentation of the cost estimate and required financial responsibility mechanisms described in subsections 62-332.550(5) through (11), F.A.C., with the permit application, and shall submit to the Department the executed or finalized documentation within the time frames specified in the permit. The provisions of this subsection shall also apply to any modifications to the WQEA Permit.

(3) General Terms for Financial Responsibility Mechanisms. In addition to the specific provisions regarding financial responsibility mechanisms for the operation and maintenance phase in subsection 62-332.550(4), F.A.C., and perpetual management phase in subsection 62-332.550(12), F.A.C., the Owner shall comply with the following terms:

(a) The financial responsibility mechanisms shall be payable at the direction of the Department to its designee or to a standby trust or standby escrow. The financial responsibility mechanism shall be retained by the Department if it is of a type which is retained by the beneficiary according to industry best practices.

(b) Demonstration of financial responsibility shall be continuous until complete satisfaction of the applicable permit conditions and approved release of financial responsibility by the Department.

(c) Collectively, the financial responsibility mechanisms must guarantee that the Owner will perform all of its obligations under the permit. Within 90 days after receipt by both the Owner and the Department of a notice of cancellation or termination of a financial responsibility mechanism, the Owner shall establish a financial responsibility mechanism that meets the criteria of this Rule, subject to the Department's written approval. Failure to establish a replacement financial responsibility mechanism within the 90-day period will itself be grounds for the Department to draw on the existing financial responsibility mechanism prior to its cancellation or termination.

(d) An Owner may satisfy the requirements of this subsection by establishing more than one acceptable financial responsibility mechanism per WQEA. Whenever more than one mechanism is used, the Owner shall identify the specific financial responsibility mechanism for each individual activity on the cost estimate as required under subsection 62-332.550(13), F.A.C.

(e) An Owner shall not use a financial responsibility mechanism for more than one WQEA.

(f) An Owner must notify the Department by certified mail within 10 days after the commencement of a voluntary or involuntary proceeding:

1. To dissolve the Owner;
2. To place the Owner in receivership;
3. For entry of an order for relief against the Owner under Title 11 of the United States Code; or
4. A general assignment of its assets for the benefit of creditors under Chapter 727, F.S.

(g) An Owner will be without the required financial assurance in the event of the suspension or revocation of the authority of any trustee to act as trustee, or in the event of a bankruptcy or receivership of the issuing institution of a financial responsibility mechanism, or the revocation of the authority of such institution to issue such instruments. The Owner must notify the Department within 10 days and establish other financial assurance within 60 days after such an event.

(h) The financial responsibility mechanism shall include the cost to repair, re-construct, or re-establish the WQEA in accordance with its Permit in the event the WQEA is partially

or completely destroyed due to a catastrophic event outside of the Owner's control. If the Owner fails to restore the WQEA in accordance with the Permit within a reasonable period of time to its functioning condition prior to the catastrophic event, the Owner shall be in material noncompliance with the WQEA Permit.

(4) Financial Responsibility for the WQEA Operation and Maintenance Phase.

(a) Financial responsibility for the operation and maintenance activities of the WQEA, or each phase thereof, may be established by surety bonds, irrevocable letters of credit, escrow accounts, or trust funds, as described below.

(b) The amount of financial responsibility established shall equal the cost of operation and maintenance of the WQEA, or each phase thereof, in accordance with subsection 62-332.550(13), F.A.C., and as adjusted in accordance with subsection 62-332.550(14), F.A.C., during the course of the project.

(c) The financial responsibility mechanism shall be effective, executed, and funded based on the full cost estimate amount in accordance with paragraph 62-332.550(4)(b), F.A.C., prior to the release of any enhancement credits.

(5) Surety Bond.

(a) An Owner may satisfy the requirements of subsection 62-332.550(1), F.A.C., for operation and maintenance activities by obtaining a surety bond that conforms to the requirements of this subsection. The company issuing the bond must be authorized to do business in Florida. The company must also be among those listed as acceptable sureties in the latest Circular 570 of the U.S. Department of the Treasury, or a Florida-domiciled surety or insurance company with at least an A-rating from the A.M. Best and authorized to write individual bonds up to 10 percent of the policyholder's surplus. The Owner shall provide documentation evidencing that the bond company meets these requirements.

(b) The surety bond shall be worded in substantial conformance with Form 62-332.550(5), "WQEA Surety Bond to Demonstrate Operational Financial Assurance" (October 2026), which is incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19780>). This form and all the forms incorporated in Rule 62-332.550, F.A.C., also are available from the Department of Environmental Protection's Internet site, <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>; or by contacting the Division of Water Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS #2500, Tallahassee, Florida 32399-2400, (850) 245-8336. Deviations from the form shall be identified to, submitted to, and approved by the Department.

(c) Under the terms of the bond, the surety shall become liable on the bond obligation when the Owner fails to perform under the terms of the WQEA Permit. In all cases, the surety's liability shall be limited to the sum stated in the bond.

(d) An Owner who uses a surety bond to satisfy the requirements of subsection 62-332.550(4), F.A.C., must establish a standby escrow or standby trust fund when the surety bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby escrow or standby trust fund for distribution by the agent or trustee in accordance with the Department's instructions. The standby escrow agreement and standby trust fund agreement must meet the requirements specified in subsections 62-332.550(8) and 62-332.550(9), F.A.C., respectively.

(e) The bonding company shall provide notice of cancellation of a bond by certified mail to the Owner and to the Department. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the Owner and the Department, as evidenced by the return receipt.

(f) A bond may be cancelled by the Owner if the Department has given prior written consent. The Department shall provide such consent when either the Owner substitutes alternative financial assurance allowed under this Rule and such alternate financial assurance is approved by the Department and is effective, or the Department approves release of financial assurance in accordance with paragraph 62-332.550(3)(b), F.A.C.

(6) Irrevocable Letter of Credit.

(a) An Owner may satisfy the requirements of subsection 62-332.550(1), F.A.C., for operation and maintenance activities by obtaining an irrevocable letter of credit that conforms to the requirements of this subsection. The irrevocable letter of credit shall be provided by a federally insured depository that is "well capitalized" or "adequately capitalized" as defined in Section 38 of the Federal Deposit Insurance Act [12 USC 1831o(b)]. The Owner shall submit documentation evidencing that the federally insured depository is appropriately capitalized.

(b) The irrevocable letter of credit shall be worded in substantial conformance with Form 62-332.550(6), "WQEA Irrevocable Letter of Credit to Demonstrate Operational Financial Assurance" (October 2026), incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19781>) and as described in paragraph (5)(b) above. Deviations from the form shall be identified to, submitted to, and approved by the Department.

(c) An Owner who uses an irrevocable letter of credit to satisfy the requirements of subsection 62-332.550(4), F.A.C., must also establish, with the Department as sole beneficiary,

either a standby escrow agreement or standby trust fund agreement when the irrevocable letter of credit is acquired. Under the terms of the irrevocable letter of credit, all amounts paid pursuant to a sight draft by the Department will be deposited by the issuing institution directly into the standby escrow or standby trust fund to be distributed by the agent or trustee in accordance with instructions from the Department. This standby escrow agreement or standby trust fund agreement must meet the requirements specified in subsections 62-332.550(8) and 62-332.550(9), F.A.C., respectively.

(d) Letters of credit must be irrevocable and issued for a period of at least one year, and the expiration date must be automatically extended for a period of at least one year unless, at least 120 days prior to the expiration date, the issuing institution notifies both the Owner and the Department by certified mail of a decision not to extend the expiration date. The terms of the irrevocable letter of credit must provide that the 120 days begins on the date when both the Owner and the Department have received the notice, as evidenced by the return receipts.

(7) Escrow.

(a) An Owner may satisfy the requirements of subsection 62-332.550(1), F.A.C., for operation and maintenance activities or perpetual management activities by a deposit of cash into an interest-bearing escrow account with the Florida Department of Financial Services.

(b) The escrow agreement must be worded in substantial conformance with Form 62-332.550(7), "Escrow (Standby Escrow) Agreement" (October 2026), incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19782>) and as described in paragraph (5)(b) above. Deviations from the form must be identified to, submitted to, and approved by the Department.

(c) The escrow agreement must be irrevocable until the Department determines that it is no longer required.

(8) Standby Escrow.

(a) An Owner using a surety bond or irrevocable letter of credit shall contemporaneously establish either a standby escrow with the Florida Department of Financial Services meeting the requirements of this subsection or a standby trust fund under subsection 62-332.550(9), F.A.C.

(b) The standby escrow agreement shall be worded in substantial conformance with Form 62-332.550(7), incorporated by reference in paragraph 62-332.550(7)(b), F.A.C., except that the agreement will identify that it is establishing a standby escrow account. Deviations from the form must be identified to, submitted to, and approved by the Department.

(c) The standby escrow agreement must be irrevocable until the Department determines that it is no longer required.

(9) Standby Trust Fund.

(a) An Owner using a surety bond or irrevocable letter of credit shall contemporaneously establish either a standby trust fund meeting the requirements of this subsection or a standby escrow under subsection 62-332.550(8), F.A.C. The trustee of the standby trust shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the State of Florida. The Owner shall provide documentation evidencing such regulation and examination to the Department.

(b) The standby trust agreement shall be worded in substantial conformance with Form 62-332.550(9), “WQEA Standby Trust Fund Agreement to Demonstrate Operational Financial Assurance” (October 2026), incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19783>) and as described in paragraph (5)(b) above. Deviations from the form shall be identified to, submitted to, and approved by the Department. This form and Forms 62-332.550(10)(a) and (10)(b) incorporated in subsection 62-332.550(10), F.A.C., reference the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-1 et seq. (July 18, 2025), which is incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19779>) and as described in paragraph (5)(b) above. A copy of the Act may also be obtained by contacting the Division of Water Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS #2500, Tallahassee, Florida 32399-2400, (850)245-8336.

(c) The standby trust fund agreement must be irrevocable until the Department determines that it is no longer required.

(10) Trust Fund.

(a) An Owner may satisfy the requirements of subsection 62-332.550(1), F.A.C., for operation and maintenance or perpetual management activities by establishing a trust fund that conforms to the requirements of this subsection. The trustee of the trust fund shall be an entity that has the authority to act as a trustee and whose trust operations meet the definition of the Investment Manager as defined in subsection 62-332.200(6), F.A.C.

(b) The trust fund agreement must be worded in substantial conformance with Form 62-332.550(10)(a), “WQEA Trust Fund Agreement to Demonstrate Operational Financial Assurance” (October 2026) or 62-332.550(10)(b), “WQEA Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance” (October 2026) [available at (a) (<https://flrules.org/Gateway/reference.asp?No=Ref-19784>) and (b) (<https://flrules.org/Gateway/reference.asp?No=Ref-19785>), respectively, and as described in paragraph (5)(b), above], incorporated by reference herein. Deviations from the form

shall be identified to, submitted to, and approved by the Department.

(11) Endowment.

(a) An Owner may satisfy the requirements of subsection 62-332.550(1), F.A.C., for perpetual management activities by establishing an endowment account that conforms to the requirements of this subsection. The Endowment Holder, or the Investment Manager retained by the Endowment Holder to manage the endowment, shall be an entity that meets the definitions of subsections 62-332.200(4) or 62-332.200(6), F.A.C., respectively.

(b) The endowment agreement must be worded in substantial conformance with Form 62-332.550(11), “WQEA Endowment Agreement to Demonstrate Perpetual Management Financial Assurance” (October 2026), incorporated by reference herein and available at (<https://flrules.org/Gateway/reference.asp?No=Ref-19786>) and as described in paragraph (5)(b) above. Deviations from the form shall be identified to, submitted to, and approved by the Department.

(12) Financial Responsibility for Perpetual Management Phase.

(a) An Owner shall establish financial assurance for the perpetual management of the WQEA, or phase thereof, using the financial responsibility mechanisms described in subsection 62-332.550(7), 62-332.550(10), or 62-332.550(11), F.A.C. When an escrow agreement, trust fund, or endowment is used, the requirements of subsections 62-332.550(7), 62-332.550(10), and 62-332.550(11), F.A.C., respectively, must be met.

(b) The amount of financial responsibility provided shall be calculated and adjusted in accordance with subsection 62-332.550(14), F.A.C. The fund shall be established in an amount equal to 110 percent of the annual cost of perpetual management, established under subsection 62-332.550(13), F.A.C., divided by a discount percentage rate calculated by the following rates as (long-term expected annual return) less (expected annual inflation) less (administrative costs).

Fund Establishment Amount = 110% Annual Cost of Perpetual Management / Discount Percentage Rate.

Discount Percentage Rate = (Long-Term Expected Annual Return) – (Expected Annual Inflation) – (Administrative costs).

A Discount Percentage Rate calculation tool is included in the “References and Design Aids” for the Applicant’s Handbook Volume I, available at: <https://floridadep.gov/water/water/content/water-resource-management-rules#erp>.

(c) The financial responsibility mechanism must be in effect and executed prior to the first release of credits to the WQEA, or applicable phase thereof. The funding amount is determined in paragraph 62-332.550(12)(b), F.A.C. The

financial responsibility mechanism for perpetual management may be funded over time as credits are withdrawn for a period not to exceed five years, or as specified by the WQEA Permit, from the first credit withdrawal. When funding over time, the initial investment amount shall be sufficient to satisfy fifty percent of the amount determined in paragraph 62-332.550(13)(c), F.A.C.

(d) Prior to the transfer to Perpetual Management Phase, the funded ratio shall be 135% of the amount determined in paragraph 62-332.550(13)(c) F.A.C. If the funded ratio is below 135%, a reconciliation payment shall be made to the fund in a final payment.

(e) Five years after transfer to the Perpetual Management Phase, and every five years thereafter, the Owner may request an assessment of the financial responsibility mechanism for perpetual management portfolio market value to determine if the value has exceeded a funded ratio of 160%. If the value exceeds this amount, funds will be returned to the Owner to restore the funded ratio to 135%.

(13) Cost estimates.

(a) For the purposes of determining the amount of financial responsibility that is required in this subsection, the Owner shall submit a detailed written estimate, in current dollars, of the total cost of the operation and maintenance and perpetual management phases of the WQEA. When the Department determines it is appropriate, the written cost estimate shall be certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such estimates.

(b) The cost estimate for operation and maintenance phase of the WQEA shall be based on costs associated with implementing the Department approved performance and success criteria monitoring and verification plan as set forth in the WQEA permit. Operation and maintenance activities may include replacement of any structures or hydrologic control devices as necessary, exotic/nuisance vegetation control, plantings, sediment removal, prescribed fire, site security, administrative fees, consultant fees, monitoring activities and reports, taxes, and any other costs associated with the operation and maintenance phase.

(c) The cost estimate for the perpetual phase of the WQEA shall be based on the costs of the operation and maintenance phase, replacement of any structures or hydrologic control devices as necessary, exotic/nuisance vegetation control, prescribed fire, site security, consultant fees, administrative fees if applicable, monitoring activities and reports, taxes, and any other costs associated with continued implementation of the perpetual management phase. The cost estimate shall also include estimated annual advisory fees and other costs related to managing the financial responsibility mechanism, if such

fees and costs are not otherwise included in the Discount Percentage Rate calculation.

(d) The Owner shall submit written cost estimates with verifiable documentation for the estimates to the Department along with the financial responsibility mechanism. If more than one financial responsibility mechanism is proposed for the operation and maintenance or for perpetual management, the cost estimate shall specify the appropriate mechanism for each itemized cost.

(e) The costs shall be estimated based on a third party performing the work at the fair market value of services. The source of any cost estimates shall be indicated and dated.

(14) Cost adjustments.

(a) Every two years, or as specified in the permit, the Owner shall undertake an estimate of the costs of the remaining operation and maintenance and perpetual management activities. In accordance with subsection 62-332.550(13), F.A.C., the Owner shall submit the estimate to the Department in writing, accompanied by supporting documentation. Operation and maintenance and perpetual management costs shall be listed separately. The Department shall review the cost adjustment statement and supporting documentation to determine if sufficient documentation has been provided to reflect all costs. If the cost adjustment statement and supporting documentation accurately reflect a good faith estimate of all costs, the Department shall approve the cost adjustment statement.

(b) At each cost adjustment, the Owner shall revise the operation and maintenance and perpetual management cost estimates for inflation and changes in the costs to complete or undertake the current phase of the WQEA or appropriate phase thereof in accordance with subsection 62-332.550(13), F.A.C.

(c) Revised cost estimates shall be used as the basis for modifying the financial responsibility mechanisms for the WQEA Operation and Maintenance Phase. If the value of any financial responsibility mechanism is less than the total amount of the current operation and maintenance cost estimates, the Owner shall, upon Department approval of the cost adjustment statement, increase the value of the financial mechanism to reflect the new estimate within 60 days. If the value of the operation and maintenance funding mechanism is greater than the total amount of the current cost estimate, the Owner may reduce the value of the funding mechanism to reflect the new estimate upon receiving written Department approval of the cost adjustment statement.

(d) Revised cost estimates and the performance of financial investments shall be used as the basis for modifying the financial responsibility mechanisms for the WQEA Perpetual Management Phase. The Department may assess the sufficiency of the Perpetual Management Phase funding and may require the financial mechanism to be revised through a

permit modification. If the value of any financial responsibility mechanism is less than the total dollar amount necessary to implement the perpetual management requirements of paragraph 62-332.550(12)(c), F.A.C., the Owner shall, upon Department approval of the cost adjustment statement, increase the value of the financial mechanism within 60 days. The sufficiency of the Perpetual Management Phase funding may be revised by the Department with any modification, or credit release, and before transfer to the WQEA Perpetual Management Phase.

(e) The Department shall require adjustment of the amount of financial responsibility provided for operation and maintenance and perpetual management at times other than the cost adjustment period when the estimated costs associated with compliance with the permit conditions exceed the current amount of financial responsibility.

(f) The Owner may provide revised cost estimates more frequently than every two years. If at any time the actual costs exceed estimated costs by more than 15 percent, the Owner shall provide a revised cost estimate and adjust the corresponding amount of financial responsibility under this Rule.

(15) Financial Responsibility for Governmental Entities.

(a) A governmental entity as defined in s. 373.4134(2)(c), F.S., shall demonstrate reasonable assurances that it can meet the operation and maintenance requirements in the WQEA Permit by any of the mechanisms in subsection 62-332.550(4), F.A.C., above, or by other financial mechanisms which are sufficient to meet the requirements of this subsection.

(b) Governmental entities shall meet the requirements of subsection 62-332.550(12), F.A.C., to fund the WQEA Perpetual Management Phase. Governmental entities shall comply with the cost adjustment provisions in subsection 62-332.550(14), F.A.C.

Rulemaking Authority 373.4134, 403.805 FS. Law Implemented 373.4134 FS. History—New

62-332.600 Enhancement Credit Transactions and Credit Use.

(1) The agency that is reviewing the credit purchaser's ERP application will verify the number of enhancement credits necessary to meet the permitting criteria under Chapter 62-330, F.A.C., and will confirm that the appropriate enhancement credits are available for use at the selected WQEA. The required number of enhancement credits shall be calculated based on appropriate location valuation factors (LVFs) as described in Rule 62-332.500, F.A.C.

(2) Enhancement credits that have been released may only be used for the purpose of: (a) achieving net improvement under Section 373.414(1)(b)3., F.S., or (b) satisfying performance standards under Section 373.4131(3)(a), F.S., or (c) meeting the

allocations of an adopted BMAP or adopted RAP under Section 403.067, F.S.

(3) To use enhancement credits, the credit purchaser must submit to the agency permitting the impact a Reservation Letter from the WQEA Owner demonstrating that enhancement credits have been reserved, sold, or transferred to the credit purchaser. If the agency permitting the credit purchaser's ERP determines that use of the enhancement credits proposed by the credit purchaser is appropriate to offset the adverse impacts, the agency permitting the impact shall require the sufficient number and type of enhancement credits be withdrawn prior to the issuance of the credit purchaser's permit or as a condition of the credit purchaser's permit.

(4) An enhancement credit included in a previously authorized credit transaction is not available for another transaction.

(5) Enhancement credits may not be used by point source dischargers to satisfy regulatory requirements other than those necessary to obtain an ERP for construction and operation of a surface water management system.

(6) Purchase of enhancement credits is voluntary.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.700 Enhancement Credit Tracking.

(1) The Department shall maintain a ledger of the enhancement credits available at each WQEA.

(2) The ledger shall include all WQEA credit transactions involving enhancement credits under this Chapter or trades under Chapter 62-306, F.A.C.

(3) WQEA credit transactions shall be processed as a no-fee minor modification of the WQEA Permit.

(4) Within 60 days of receiving the full payment for the credits and a request from the credit purchaser, or as required by the WQEA permit, the Owner shall submit a minor modification application requesting the enhancement credits be withdrawn from the official ledger.

(5) The ledger shall include the following information:

(a) The amount and type of credits generated in the WQEA, including provisional permit credits, if applicable.

(b) A brief description of actions or activities that generated the release of credits.

(c) The date credits become available for purchase.

(d) The date of the most recent inspection of the WQEA.

(e) The credit purchaser's name.

(f) Credit purchaser's permit number and date of issuance.

(g) Credit purchaser's BMAP or RAP allocation issuance and expiration date for trades.

(h) The credit purchaser's permitting agency.

(i) The amount and type of credits sold in each purchase.

(j) The balance of the amount and type of credits available after purchase or credit generation in the WQEA.

(k) The date the WQEA ledger is updated.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.800 Enhancement Credit Monitoring and Continuing Credit Verification.

(1) Annually, the Owner must demonstrate the achievement of pollutant reductions of no less than the number of credits sold.

(2) The WQEA Owner must implement a performance and success criteria monitoring and verification plan approved by the Department, including protocols and monitoring frequency, to be implemented once the WQEA is constructed and transferred to the Operation and Maintenance Phase.

(a) Enhancement credits shall be directly measured by the Owner in accordance with the Department-approved monitoring and verification plan in accordance with the WQEA permit.

(b) The plan must be sufficient to demonstrate that the WQEA meets defined performance criteria for pollutant reductions on which enhancement credits are based and the success criteria for each activity.

(c) The Owner must implement the approved perpetual management plan after transferring to the Perpetual Management Phase in perpetuity.

(3) The monitoring and verification protocols must be able to measure the difference in water quality and flows before water enters the WQEA and is discharged from the WQEA in order to accurately demonstrate the WQEA's pollutant reductions and ensure that all released enhancement credits have been achieved. At a minimum, monitoring must include flow and concentration data into and out of the WQEA.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.900 Compliance and Enforcement.

(1) The Owner must certify and submit annually to the Department that the control devices and systems, technologies, best management practices, or other activities on which the enhancement credits are based continue to be fully implemented and properly operated and maintained, and that pollutant load reductions continue to be achieved. The Department shall at a minimum perform annual inspections to verify that the conditions of the WQEA permit are met.

(2) The Owner must report annually to the Department the pollutant loads of their targeted pollutant at the discharge point(s) of the WQEA, in the standard units of measure for the WQEA at a frequency required by the permit to demonstrate pollutant load reduction resulting in credits.

(3) The Owner must maintain records demonstrating that the control devices and systems, technologies, best management practices, or other management actions upon which credits are based continue to be fully implemented and properly operated and maintained in perpetuity. The Owner must notify the Department in writing within 30 calendar days of any changes to the size, nature, function, or treatment capabilities of the WQEA. Any such changes may result in a WQEA permit modification to ensure credit transactions maintain at least their approved level of pollutant load reduction. The Owner must allow the Department, or Department's agent, to inspect the records and the control devices and systems, technologies, best management practices, or other management actions during regular business hours.

(4) The Owner is responsible for achieving the pollutant load reductions on which the credits are based and complying with the terms of its permit, including any associated financial assurance instruments and monitoring and verification plan, in perpetuity. In the event the Department determines the purchased released credits are invalid because the Owner has failed to comply with its monitoring and verification plan, has failed to demonstrate that the WQEA is meeting defined performance and success criteria for the reduction of pollutants on which credits are based, or otherwise has failed to meet the conditions of its permit, including financial assurances, the Department may suspend the authorization to withdraw enhancement credits until such time as the Owner returns to compliance and credits have been reevaluated.

(5) The Owner shall annually submit a report of the Enhancement Credits sold or used to the Department.

Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History—New

62-332.920 Surrender or Transfer of Water Quality Enhancement Area Permits.

(1) If no credits have been released or sold, an Owner may apply to surrender a WQEA Permit, or permitted phase thereof, by submitting a written request to the Department. The written request must identify which phase of the WQEA permit will be surrendered, indicate the extent of actions and activities performed in that phase, and describe the conservation property interest encumbering that phase. The Department shall authorize release from a WQEA permit when no credits have been withdrawn. The Department shall authorize the relinquishment of a permitted phase, where no credits associated with that phase have been withdrawn, and the release would not compromise the hydrology and water quality improvement efficiency of the remaining portions of the WQEA. A surrender of a WQEA permit or release of a phase of a WQEA shall be made by permit modification.

(2) If a property interest has been conveyed as provided in Rule 62-332.530, F.A.C., for a WQEA Permit which is surrendered as provided above, the Department shall release the conservation easement.

(3) If a surface water management system has been constructed or altered within the WQEA, the Owner shall obtain any permits required under Part IV of Chapter 373, F.S., and Chapter 62-330, F.A.C., to operate or abandon the surface water management system.

(4) To transfer a WQEA Permit, the Owner shall meet the requirements of Chapter 62-330.340, F.A.C., and the entity to whom the permit will be transferred must provide reasonable assurances that it can meet the requirements of the permit. Rulemaking Authority 373.4134, 403.067(9), 403.805 FS. Law Implemented 373.4134, 403.067 FS. History— New .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy Rach

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Alexis A. Lambert

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 24, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: April 28, 2026

DEPARTMENT OF FINANCIAL SERVICES

Division of Criminal Investigations

RULE NO.: RULE TITLE:

69D-5.001 Bureau of Forensic Services Requirements
and Procedures for Submission of Evidence

PURPOSE AND EFFECT: Bureau of Forensic Services
Analysis Requirements and Procedures for Submission of
Evidence.

SUMMARY: The rule provides standards and criteria for
collecting, packaging, submitting, and analyzing fire scene
evidence, as well as standards for extracting evidence from
sample submissions and criteria for disposal or retention of
samples.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS AND LEGISLATIVE
RATIFICATION:

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

The Agency has determined that the proposed rule is not
expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is
required, the information expressly relied upon and described
herein: The Department's economic analysis.

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: 633.104 FS.

LAW IMPLEMENTED: 633.112 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: Casia Sinco, Assistant Director,
Division of Criminal Investigations at, (850)413-1913 or
Casia.Sinco@Myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69D-5.001 Bureau of Forensic Services Requirements and Procedures for Submission of Evidence.

(1) Evidence will be accepted from public law enforcement
agencies and fire service agencies in matters related to criminal
investigations. Other evidence is permitted to be accepted from
other public agencies in special circumstances, but must be
approved by the Bureau Chief. The criteria that will be
considered for approval are the urgency of the evidence
submitted, the use to which the evidence will be put after
analysis, and the importance of the evidence, and any other
relevant factor bearing on the need for the laboratory to analyze
the evidence. The Laboratory Bureau publishes Form DFS-K1-
2127, a Guide to the Collection, Packaging, Submission, and
Analysis of Evidence, Eff. 09/26,
[https://www.flrules.org/Gateway/reference.asp?No=Ref-](https://www.flrules.org/Gateway/reference.asp?No=Ref-19836)
19836 Bureau Form DFS K1 2127,
[http://www.flrules.org/Gateway/reference.asp?No=Ref-03898,](http://www.flrules.org/Gateway/reference.asp?No=Ref-03898)
rev. 09/30/2013, which is hereby adopted and incorporated by
reference and available on the Division's website at,
<https://www.myfloridacfo.com/division/cid/forensic-services>
that provides the minimum requirements for submitting
evidence. The guide may be obtained by writing to the Bureau
of Forensic Services at 38 Academy Drive, Havana, Florida
32333 or by accessing the Division's Bureau's website under
the Forensic Services Information Chemical Analysis page at
[https://www.myfloridacfo.com/division/cid/forensic-](https://www.myfloridacfo.com/division/cid/forensic-services/forensic-information)
services/forensic-information
[http://www.myfloridacfo.com/Division/SFM/BFFEA/Chemie](http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm)
alAnalysis/default.htm.

(2) The Evidence Submission Form. By completely and
properly filling out the submission form, Form DFS-K1-1096
DFS L1-1096,
[http://www.flrules.org/Gateway/reference.asp?No=Ref-03897,](http://www.flrules.org/Gateway/reference.asp?No=Ref-03897)
Eff. 09/26, [http://flrules.org/Gateway/reference.asp?No=Ref-](http://flrules.org/Gateway/reference.asp?No=Ref-19835)
19835 Revised 04/27/2012, which is hereby adopted and

incorporated by reference, the investigator is documenting all the information necessary for the laboratory to track and process the case. Form ~~DFS-K1-1096~~ ~~DFS-L1-1096~~ also provides a chain of custody for the evidence's receipt and return. This laboratory uses a computerized laboratory information management system. Because of this, there are certain items of information that are required to properly log the case. The information required on the Evidence Submission Form (Form ~~DFS-K1-1096~~ ~~DFS-L1-1096~~) is described within the Guide to the Collection, Packaging, Submission, and Analysis of Evidence, Eff. 09/26, rev. 09/30/2013. The form itself may be obtained by writing to the Bureau or by downloading it from the Division's website under the Forensic Services Information page at <https://www.myfloridacfo.com/division/cid/forensic-services/forensic-information> ~~Bureau's website under the Chemical Analysis page,~~ <http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm>.

(3) Sample Return – All items of evidence shall be returned to the submitting agency or their representative. The Division may request the agencies to cover costs for return of evidence if the Division's appropriation is not sufficient to cover the costs. Agencies are requested to provide their third party courier account number to cover the costs for return of evidence. Submitters must additionally be aware that following testing and identification, there may be some samples which cannot be commercially shipped. The submitter has the responsibility to pick up their evidence from the Bureau within 60 days of the Bureau's request or their submission privileges shall be revoked.

Rulemaking Authority 633.104(4) FS. Law Implemented 633.112 FS. History—New 7-13-03, Formerly 4A-63.001, Amended 4-13-14, Formerly 69A-63.001, Amended _____.

"Guide to the Collection, Packaging, Submission and Analysis of Evidence" Form DFS-K1-2127 is substantially rewritten. See F.A.C. for recent text at <http://www.flrules.org/Gateway/reference.asp?No=Ref-03898>.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Casia Sinco, Assistant Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-5.0016	Preneed License; Financial Requirements
69K-5.002	Application for Preneed License
69K-5.0021	Application for Preneed License Branch Office License
69K-5.0022	Applications for Transfer of a Preneed License
69K-5.0026	Preneed License Renewal
69K-5.003	Application for Preneed Sales Agent License and Appointment
69K-5.0035	Termination of Appointment of a Preneed Sales Agent
69K-5.004	Procedures for Licensing a New Cemetery
69K-5.006	Procedure for Licensing Transferred Cemeteries
69K-5.007	Conversion Procedures
69K-5.008	Request for Additional Information - Applications
69K-5.009	Regulatory Standards for Evaluating Applications by the Board
69K-5.011	Preneed Sales Agent Renewal
69K-5.0125	Minimum Records to Be Maintained by Burial Rights Brokers; Inspection of Records
69K-5.013	Procedure for Report of Identification for an Exempt Cemetery

PURPOSE AND EFFECT: The proposed rulemaking will revise licensure application procedures; incorporate forms; and update the Rulemaking Authority and Law Implemented Sections.

SUMMARY: The rulemaking will address the procedures for preneed and cemetery licensure, renewal, and fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic review for this rulemaking. 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: 497.103, 497.141, 497.263, 497.287, 497.453, 497.466, FS.

LAW IMPLEMENTED: 497.103, 497.140, 497.141, 497.260, 497.263, 497.264, 497.265, 497.266, 497.268, 497.283, 497.287, 497.452, 497.453, 497.466 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: Mary Schwantes, Division Director, 200 E. Gaines Street, Tallahassee, Florida 32399-0361; (850)413-4984 or Mary.Schwantes@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-5.0016 ~~Preneed License;~~ Financial Requirements for Preneed Licensure.

(1) For the purposes of this Rule section, “~~t~~Total preneed contracts” is defined as the total retail value of all outstanding preneed contracts.

(2) A ~~p~~Preneed ~~L~~icensee or applicant for licensure must meet and maintain the following requirements on an annual basis, demonstrate ~~demonstrating~~ its ability to discharge its liabilities as they become due in the normal course of business, and retain ~~must have~~ sufficient funds available to perform its obligation under its existing preneed contracts.

(a) A ~~p~~Preneed ~~L~~icensee or applicant for licensure must submit its most recent year-end financial statements (including a balance sheet and income statement) with the Preneed License application and annually thereafter as provided in Section 497.453(4), F.S. The financial statements must be prepared in accordance with generally accepted accounting principles (GAAP) as ~~those principles have been~~ defined by the Florida Board of Accountancy in Chapter 61H1-20, F.A.C. If the applicant for licensure does not have the minimum net worth as set forth in paragraph (2)(b), ~~or~~ lacks sufficient liquid assets to satisfy current liabilities, or does not appear to have any substantial long-term assets, the Department shall request additional financial information concerning financial statements and the statement of cash flows.

(b) The ~~p~~Preneed ~~L~~icensee’s financial statements must demonstrate the following levels of net worth:

1. ~~Preneed Licensee that has T~~total preneed contracts \$100,000 or less-\$10,000 net worth;
2. ~~Preneed Licensee that has T~~total preneed contracts of \$100,001 to \$200,000-\$20,000 net worth;
3. ~~Preneed Licensee that has T~~total preneed contracts of \$200,001 to \$400,000-\$40,000 net worth;
4. ~~Preneed Licensee that has T~~total preneed contracts of \$400,001 to 600,000-\$60,000 net worth;
5. ~~Preneed Licensee that has T~~total preneed contracts of \$600,001 to \$800,000-\$80,000 net worth;

6. ~~Preneed Licensee that has T~~total preneed contracts in excess of \$800,000-\$100,000 net worth.

(c) In the case of a ~~p~~Preneed ~~L~~icensee or applicant for licensure offering preneed sales through a subsidiary agent, as provided in Rule 69K-5.0015, F.A.C., the ~~p~~Preneed ~~L~~icensee or applicant for licensure shall execute a guarantee agreement with respect to any contract obligations resulting from preneed sales of such subsidiary ~~a-selling~~ agent.

(3) If ~~a the~~ ~~p~~Preneed ~~L~~icensee or applicant for licensure does not meet the financial requirements in paragraph (2)(b), above, the entity may voluntarily submit to the Board additional evidence or agree to additional oversight as to its meeting the requirements of subsection (2), above, and as a condition of receiving and retaining a ~~p~~Preneed ~~L~~icense.

Such additional evidence or oversight agreement shall include as appropriate:

- (a) through (h) No change.
- (i) Submission of a twelve month projected business plan which shall include:
 1. No change
 2. Proforma income statement with sources of revenue identified; and;
 3. Marketing initiatives.;
- (j) No change.
- (k) 100% voluntary trusting agreement by the entity.;

(4) Upon the Board’s review of such additional information or agreements, listed in subsection (3) ~~submitted as stated~~ above, the Board shall issue a ~~p~~Preneed ~~L~~icense if such information or agreement results in the Board determining ~~that~~ the preneed licensee or applicant for licensure ~~or preneed license~~ meets the requirements of Sections 497.452 and 497.453, F.S.

Rulemaking Authority 497.103, 497.453 FS. Law Implemented 497.452, 497.453 FS. History—New 5-21-95, Amended 12-7-98, 10-18-99, 12-12-00, 6-26-02, Formerly 3F-5.0016, Amended 9-5-18,_____.

69K-5.002 Application for Preneed Licensure License.

(1) ~~To apply for Each entity desiring to obtain~~ a preneed license, an applicant shall submit ~~apply~~ to the Department ~~Board by submitting~~ the following:

(a) ~~The A-completed~~ Application for Preneed Licensure License, Form DFS-PNL-1, effective 07/26, which is hereby incorporated by reference and available on the Department’s website _____ at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19847>. The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein; and a Historical Sketch, Form DFS HistS, which are incorporated by reference in Rule 69K-1.001, F.A.C., and available on the Department’s Division of

Funeral, Cemetery, and Consumer Services, (Division) website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/>. The application and historical sketch must be completed and signed less than thirty (30) days prior to receipt by the Division; and

(b) The Historical Sketch, Form DFS-HistS, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <http://flrules.org/Gateway/reference.asp?No=Ref-19842>. The Historical Sketch shall be completed by any person with power to direct the management or policies of the applicant. The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein; An application fee of \$500 and an unlicensed activity fee of \$5 for the annual period beginning July 1 of each year or any part thereof.

(c) A non-refundable application fee of \$500.00;

(d) A non-refundable unlicensed activity fee of \$5.00; and

(e) Fingerprints pursuant to Rule 69K-1.002, F.A.C.

(2) An applicant may amend the application for licensure as to factors generally within the control or selection of the applicant once, as a matter of course, at any time within 30 days from its receipt for filing. Otherwise, the application may only be amended with permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the application for licensure filed at any time after the application is received shall be deemed as grounds for denial by the Department, and a new application for licensure with the appropriate fees shall be required. The Historical Sketch shall be completed by any person with power to direct the management or policies of the applicant.

(3) Request for Additional Information: Any request for additional information will be made by the Department Executive Director of the Board within thirty (30) days after receipt of the application by the Board. The additional information must be provided to the Department received by the Board within forty five (45) days from the date of request. Failure to respond to the request within forty five (45) days from the date of request shall be deemed construed by the Board as grounds for denial by the Department for failure to complete the application, and the application shall be denied pursuant to Section 120.60, F.S.

(4) An applicant may request withdrawal of an application for licensure prior to a determination made by the Department by submitting a written request that the application be withdrawn.

(5)(4) Upon approval of the application for licensure, a preneed license will be issued for the remainder of the period.

(6)(a)(5)(a) For the purpose of Section 497.453, F.S., an applicant's principals (including directors, officers,

stockholders owning more than 10% of the voting stock of the applicant, and other persons who can direct the management of the applicant) shall appear to be of good character if they:

1. through 3. No change.

(b) If an applicant fails to meet standards in paragraph (6)(a)(5)(a) above, such act or conviction shall not create an irrebuttable presumption that a person is not of good character. The Board shall take into consideration evidence of such person's efforts at rehabilitation and law abiding behavior during the three (3) years preceding the filing of the application to determine if the applicant has the requisite good character.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.453 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.452, 497.453 FS. History—New 4-25-94, Amended 2-7-95, 12-12-00, 6-26-02, Formerly 3F-5.002, Amended 12-24-18,.

"Application for Preneed Licensure" Form DFS-PNL-1 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09968>.

"Historical Sketch" Form DFS-HistS is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09966>.

69K-5.0021 Application for Preneed Branch Office Licensure License.

(1) A Every pPreneed Licensuree that is part of a common business enterprise and elects to operate under a different name as a branch office shall apply for preneed branch office licensure. To apply for a preneed branch office license, an applicant shall submit to the Department to the Board for a license to operate a branch office by submitting the following:

(a) The A completed Application for Preneed Branch Office Licensure License, Form DFS-PNLB, effective 07/26, which is hereby incorporated by reference in Rule 69K-1.001, F.A.C., and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <http://flrules.org/Gateway/reference.asp?No=Ref-19848>.

<http://www.MyFloridacfo.com/Division/FuneralCemetery/>. The licensee must submit an application must be completed and signed within that was signed less than thirty (30) days prior to receipt by the Department and submitted in accordance with the instructions therein Division; and

(b) A non-refundable An application fee of \$150.00; \$150 and an unlicensed activity fee of \$5 for the annual period beginning July 1 of each year or any part thereof.

(c) A non-refundable unlicensed activity fee of \$5.00.

(2) For the purposes of this Rule, A "branch office" shall be defined as for purposes of this rule to be any location at which the preneed licensee sells, or offers for sale, funeral or cemetery goods or services on a preneed basis in a name different from the name of the common business enterprise. Location identifiers shall not constitute a different name. The branch office may be the same business entity, a qualified

corporate agent, corporate subsidiary, or other entity as defined in Rule subsection 69K-5.0015(2), F.A.C.

(3) An applicant may amend the application for licensure as to factors generally within the control or selection of the applicant once, as a matter of course, at any time within 30 days from its receipt for filing. Otherwise, the application may only be amended with permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the application for licensure filed at any time after the application is received shall be deemed as grounds for denial by the Department, and a new application for licensure with the appropriate fees shall be required. For the purposes of this rule, the name of the common business enterprise shall be considered to be that listed as the entity registered as a Preneed Licensee.

(4) "Operate under a different name" shall be defined for the purposes of this rule as the manner in which the preneed licensee extends itself to the public at any given location. This includes, but is not limited to, the name of the business as listed on business signs, in advertisements, and on contracts entered into with purchasers either on an at need or preneed basis. The name of the entity listed as "seller" on a preneed contract shall not be the sole determination of the name in which the entity operates.

~~(4)(5) Request for additional information. Any request for additional information will be made by the Department Executive Director of the Board within thirty (30) days after receipt of the application by the Board. The additional information must be provided to the Department received by the Board within forty five (45) days from the date of request. Failure to respond to the request within forty five (45) days from the date of request shall be deemed construed by the Board as grounds for denial by the Department for failure to complete the application, and the application shall be denied pursuant to Section 120.60, F.S.~~

~~(5)(6) Withdrawal of Application. An applicant may, can request withdrawal of an application for licensure prior to a determination of the application being made by the Department Board of Funeral, Cemetery, and Consumer Services by submitting a written request that the application be withdrawn.~~

~~(7) Refunds. If the application is withdrawn or denied, the application fee is non-refundable.~~

~~(6)(8) Upon approval of the application for licensure, a preneed license branch office license will be issued for the remainder of the annual license period ending June 30 of each year.~~

(7) To renew a preneed branch office license, the licensee must submit to the Department the following:

(a) The Application for Preneed Branch Office Licensure Renewal, Form DFS-PNLBR, effective 07/26, which is hereby incorporated by reference and available on the Department's

website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19849>. The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein;

(b) A non-refundable renewal fee of \$150.00;

(c) A non-refundable unlicensed activity fee of \$5.00; and

(d) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

Rulemaking Authority 497.103, 497.140, 497.141, 497.161, 497.453 FS. Law Implemented 120.60, 497.103, 497.140, 497.141, 497.146, 497.453 FS. History—New 6-5-97, Amended 12-12-00, 9-18-01, Formerly 3F-5.0021, Amended 12-24-18.

"Application for Preneed Branch Office Licensure" Form DFS-PNLB is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09967>.

69K-5.0022 Applications for Transfer of a Preneed License.

(1) When an entity holding which holds a preneed license changes ownership, it shall cease operating under the predecessor's preneed license. To continue operating, the successor owner must apply for a preneed license as outlined in Rule 69K-5.002, F.A.C. The successor owner may apply to transfer the predecessor's preneed license to its new preneed license and obtain a temporary preneed license to continue to operate until the new preneed license is issued. To be eligible to transfer a preneed license, the successor owner entity must apply for a transfer within thirty (30) days of the change in ownership by submitting the following to the Department the following Board of Funeral, Cemetery, and Consumer Services:

(a) The A-completed Application for Transfer of a Preneed License, Form DFS-PNLT1, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19859>. The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein and, for each principal, a Historical Sketch, Form DFS-HistS. Both forms are incorporated by reference in Rule 69K-1.001, F.A.C., and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/>. Each of the forms must be signed less than thirty (30) days prior to receipt by the Division;

(b) A non-refundable application fee of \$100.00; \$100 and an unlicensed activity fee of \$5 must accompany the form, for

~~the remainder of the annual license period in which the application is approved; and~~

(c) Financial statements in documenting compliance with Rule 69K-5.0016, F.A.C.;

(d) The Historical Sketch, Form DFS-HistS, incorporated by reference in Rule 69K-5.002, F.A.C. The Historical Sketch shall be completed by each principal and by any person with power to direct the management or policies of the applicant. The Historical Sketch must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein; and

(e) A non-refundable unlicensed activity fee of \$5.00.

~~(2) The Historical Sketch shall be completed by any person with power to direct the management or policies of the applicant.~~

(2)(a)(3)(a) For the purpose of Section 497.453, F.S., an applicant's principals (including directors, officers, stockholders owning more than 10% of the voting stock of the applicant, and other persons who can direct the management of the applicant) shall appear to be of good character if they:

1. through 3. No change.

(b) If an applicant fails to meet the standards in paragraph (2)(a)(3)(a) above, such act or conviction shall not create an irrefutable presumption that a person is not of good character. The Board shall take into consideration evidence of such person's efforts at rehabilitation and law abiding behavior during the three (3) years preceding the filing of the application to determine if the applicant has the requisite good character.

(3) An applicant may amend the application for licensure as to factors generally within the control or selection of the applicant once, as a matter of course, at any time within 30 days from its receipt for filing. Otherwise, the application may only be amended with permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the application for licensure filed at any time after the application is received shall be deemed as grounds for denial by the Department, and a new application for licensure with the appropriate fees shall be required.

(4) ~~Request for additional information.~~ Any request for additional information will be made by the Department Executive Director of the Board within ~~thirty (30)~~ days after receipt of the application ~~by the Board~~. The additional information must be provided to the Department ~~received by the Board~~ within ~~forty five (45)~~ days from the date of request. Failure to respond to the request within ~~forty five (45)~~ days from the date of request shall be deemed construed by the Board as grounds for denial by the Department for failure to complete the application, and the application shall be denied pursuant to Section 120.60, F.S.

(5) ~~Withdrawal of Application.~~ An applicant may, ~~can~~ request withdrawal of an application for licensure prior to a

determination ~~of the application being made by the Department Board of Funeral, Cemetery, and Consumer Services~~ by submitting a written request that the application be withdrawn.

~~(6) Refunds. If the application is withdrawn or denied, the application fee is non-refundable.~~

(7) renumbered as (6) No change.

~~(7)(8)~~ If an Application for Transfer of a Preneed License is not filed within ~~the thirty (30)~~ days after the change in ownership ~~entity~~, the new owner entity shall not be eligible to file such application. The owner entity shall be required to file an initial application for Preneed License pursuant to Rule 69K-5.002 ~~69K-1.004~~, F.A.C. Any Application for Transfer of a Preneed License which is not timely filed shall be grounds for denial ~~denied~~ by the Board.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 197.161, 497.453 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.453 FS. History—New 5-13-97, Amended 6-26-02, Formerly 3F-5.0022, Amended 12-24-18, ____.

“Application for Transfer of a Preneed License” Form DFS-PNLT1 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09965>.

69K-5.0026 Preneed Licensure License Renewal.

(1)(a) Each ~~active~~ preneed license shall be renewed for the annual period beginning July 1st of each year upon approval by the ~~Board of Funeral, Cemetery, and Consumer Services. The Department will provide a renewal reminder either by mail or electronic notice to each licensee at the address of record. Failure to receive any notification does not relieve the licensee of the responsibility to meet the renewal application requirements.~~ The application for renewal will be presented to the Board upon receipt of application by the Department ~~of a non-refundable renewal fee as established by Section 497.453(5), F.S., and a financial statement as of the entity's most recent fiscal year end. The licensee shall apply by mail and pay the renewal fee either online, if available, or by mail to the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, at the address indicated on the form.~~

(2) Instructions for renewing a preneed license can be accessed in the Instructions for Preneed License and Branch Annual Renewal, Form DFS-PNL-R, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19850>.

(3)(b) To renew a preneed license, the licensee must submit to the Department ~~The following forms are to be completed by the licensee:~~

1. ~~Form DFS PNL R, Cover Sheet and General Instructions for Preneed License and Branch Annual Renewal Packet;~~

(a)2- The Invoice – Renewal of Preneed License, Form DFS-PNL-R1, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19851>

Invoice – Renewal of Preneed License;

3. Annual Financial Statement:

a. Form DFS PNL R2, Financial Statement Instructions;

(b)1- The Balance Sheet of Preneed Licensee, Form DFS-PNL-R2A, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19852>

Balance Sheet of Preneed Licensee;

(c)1- The Income Statement, Form DFS-PNL-R2B, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19853>

Income Statement;

4. Annual Renewal Statement:

(d)1- The Statement of Preneed Sales, Form DFS-PNL-R3A, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19854>

Statement of Preneed Sales Under Each Individual Trust, Surety Bond, or Insurer;

(e)1- The Summary of Preneed Activity, Form DFS-PNL-R3B, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19855>

Summary of Preneed Activity; and

(f)5- The Application for Preneed Licensure Renewal and Financial Statement, Form DFS-PNL-R4, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19856>

Annual PNL Financial Statement and Renewal Statement Certification and Application for Renewal.

(e) Each preneed licensee that is not renewing its preneed license shall mail in a completed Notice of Non Renewal of Preneed License, Form DFS-PNL-R5, prior to the expiration of the license.

(g)(d) If, at the time of renewal, a preneed licensee’s net worth does not meet the requirements of Section 497.453, F.S., or Rule 69K-5.0016, F.A.C., the preneed licensee shall submit the mail in a completed Net Worth Alternatives Form, Form DFS-PNL-R6, effective 07/26, which is hereby incorporated by

reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19858>.

(e) Each of the forms listed above in subsection (1) is incorporated by reference in Rule 69K-1.001, F.A.C., and can be obtained on the Department’s website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/>.

(h) A non-refundable application fee pursuant to Section 497.453, F.S.;

(i) A non-refundable unlicensed activity fee of \$5.00; and

(j) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(4) Each preneed licensee that is not renewing its preneed license shall submit to the Department the Notice of Non-Renewal of Preneed License, Form DFS-PNL-R5, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19857>, prior to the expiration of the license.

(5)(2) Failure to submit the requirements of statements as required in subsection (3)(4) authorizes the Board of Funeral, Cemetery, and Consumer Services to levy a fine in the amount of \$50 per day for each day the required forms and fees financial and renewal statements are not submitted, unless an extension is granted, as follows:

(a) Annual Financial Statement must be submitted to and received by the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, within three (3) months after the end of the preneed licensee’s fiscal year. An extension is automatically granted to allow Financial Statements to be due April 1st of each calendar year.

(b) Annual Renewal Statement and the required renewal fee must be submitted to and received by the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, on or before April 1st of each year.

(6)(3) Financial statements may be prepared either on the Balance Sheet of Preneed Licensee, Form DFS-PNL-R2A, or the Income Statement, Form DSF-PNL-R2B, incorporated by reference listed in subsection (3)(4), or by an independent certified public accountant in conformity with Rule 69K-5.0016, F.A.C. Audited statements are acceptable. The financial statements must document compliance with the minimum financial responsibility requirements of Rule 69K-5.0016, F.A.C. Failure to comply with said Rule 69K-5.0016, F.A.C., shall result in denial of the renewal application.

~~(7)(4) In the event the renewal application is denied by the Board, the renewal fee paid is not refundable. If a hearing is requested on the denial, the certificate shall remain in active status during the pendency of the hearing.~~

~~(8)(5) Any preneed license not approved or denied by the Board prior to July 1 of each year shall automatically expire on July 1, and the entity shall be required to cease and desist from all selling of preneed funeral and cemetery goods and services. All preneed sales agent appointments associated with the preneed license will be terminated. New applications for licensure, pursuant to Rules 69K-5.002 and 69K-5.0021, F.A.C., and agent certification/appointments, pursuant to Rule 69K-5.003, F.A.C., must be submitted to the Department and approved by the Board in order to return the license certificate and agent appointments to active status. The applicants shall be subject to all requirements of initial application.~~

~~Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161, 497.453 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.161, 497.453 FS. History—New 6-24-96, Amended 7-10-02, Formerly 3D-30.041, 69K-100.041, Amended 12-24-18, ____.~~

~~“Instructions for Preneed License and Branch Annual Renewal” Form DFS-PNL-R is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09963>.~~

~~“Invoice – Renewal of Preneed License” Form DFS-PNL-R1 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09971>.~~

~~“Balance Sheet of Preneed License” Form DFS-PNL-R2A is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09978>.~~

~~“Income Statement” Form DFS-PNL-R2B is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09977>.~~

~~“Statement of Preneed Sales” Form DFS-PNL-R3A is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09976>.~~

~~“Summary of Preneed Activity” Form DFS-PNL-R3B is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09975>.~~

~~“Application for Preneed Licensure Renewal and Financial Statement” Form DFS-PNL-R4 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09974>.~~

~~“Notice of Non-Renewal of Preneed License” Form DFS-PNL-R5 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09973>.~~

~~“Net Worth Alternatives Form” Form DFS-PNL-R6 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09972>.~~

69K-5.003 Application for Preneed Sales Agent Licensure License and Appointment.

~~(1) To apply for Each person desiring to obtain a preneed sales agent licensure and appointment, an applicant license shall submit apply to the Department by submitting the following by certified mail or online:~~

~~(a) The A completed Application for of a Preneed Sales Agent Licensure and Initial Appointment, Form DFS-PNS-1, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19860> adopted in Rule 69K-1.001, F.A.C. The application must be completed and signed by an authorized representative of the preneed licensee within thirty (30) days prior to receipt by the Department and submitted in accordance with the instructions therein;~~

~~(b) A non-refundable licensure and initial appointment fee of \$250.00; Fees:~~

~~1. The fee for licensure and initial appointment as a preneed sales agent shall be \$250.~~

~~2. The fee for each additional appointment shall be \$250.~~

~~3. The fee for biennial renewal of a preneed sales agent appointment shall be \$250.~~

~~(c) A non-refundable unlicensed activity fee of \$5.00; and~~

~~(d) Fingerprints pursuant to Rule 69K-1.002, F.A.C.~~

~~The above fees shall be effective on the later of July 1, 2009, or this rule becoming effective.~~

~~(2) An applicant for preneed sales agent licensure may be temporarily licensed and appointed if the applicant meets the requirements of Section 497.466(3), F.S. The applicant may commence preneed solicitations and sales on behalf of the preneed business named in the Application for Preneed Sales Agent Licensure and Initial Appointment, Form DFS-PNS-1, on the date the application is received by the Department. If the Department confirms receipt of the application and advises that a temporary preneed sales agent license and appointment is issued, the applicant will need to submit fingerprints, pursuant to Rule 69K-1.002, F.A.C., within 90 days of issuance of the temporary license. If the applicant does not submit fingerprints within 90 days of issuance of the temporary license, the temporary license will expire 120 days after the date of issuance. An applicant for preneed sales agent licensure who does not meet the requirements of Section 497.466(3), F.S., shall not be issued a temporary preneed sales agent license and appointment.~~

~~(3) To appoint a current licensed preneed sales agent to represent and sell for a preneed business, the applicant must submit to the Department the following:~~

~~(a) The Application for Preneed Sales Agent Appointment, Form DFS-N1-1774, effective 07/26, which is hereby~~

incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19845>; and

(b) A non-refundable application fee of \$275.00.

~~(4)(2) Request for Additional Information.~~ Any request for additional information will be made by the Department within ~~thirty (30)~~ days after receipt of the application by the Department. The additional information must be ~~provided to~~ received by the Department within ~~forty-five (45)~~ days from the date of request. Failure to respond to the request ~~for additional information~~ within ~~forty-five (45)~~ days from the date of request shall be ~~deemed as construed by the Board to be~~ grounds for denial ~~by the Department of the application~~ for failure to complete the application, and the application shall be denied pursuant to Section 120.60, F.S.

~~(5)(3) Amendment of Application.~~ An applicant may amend the application for licensure as to ~~those~~ factors generally within the control or selection of the applicant; once, as a matter of course, at any time within ~~thirty (30)~~ days from its receipt for filing. Otherwise, the application may only be amended ~~only~~ with ~~prior~~ permission from the Department. ~~Requests Any unapproved requests~~ to make changes which are material to the application or the evaluation of the application filed at any time after the application ~~is has been~~ received shall be deemed ~~as by the Board to be~~ grounds for denial, and a new application for licensure with registration, accompanied by the appropriate fees ~~fee~~, shall be required.

~~(6)(4) Withdrawal of Application.~~ An applicant, or sponsoring preneed licensee, ~~may~~ can request withdrawal of an application prior to a determination ~~of the application~~ being made by the ~~Department Board of Funeral, Cemetery, and Consumer Services~~ by submitting a written request that the application be withdrawn.

~~(7)(5) Denial of Application.~~ The Department shall notify the applicant at the address of the sponsoring preneed licensee of the Board's intent to deny the application. Upon receipt of the notification, the applicant shall cease conducting business as a preneed sales agent. Upon receipt of the notification, the sponsoring preneed licensee will use due diligence to stop the preneed sales agent from conducting business as a preneed sales agent on behalf of the preneed licensee. ~~If a request for a hearing has not been received within twenty-six (26) days of the date of the notification, the application shall be denied.~~

~~(6) Refunds.~~ If the application is withdrawn or denied, the application fee is non-refundable.

~~(8)(7)~~ Upon approval of the application for licensure, a license will be issued for the remainder of the biennial renewal ~~registration~~ period effective the later of the date the application

was received or the date the last deficiency on the application was resolved.

~~(9)(8)~~ A separate license is required for each ~~different~~ preneed licensee represented by the applicant.

(10) The fee for each additional appointment is \$250.00.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161, 497.466(8)(a) FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.466 FS. History—New 4-25-94, Formerly 3F-5.003, Amended 6-22-09, 3-1-16,___.

69K-5.0035 Termination of Appointment of a Preneed Sales Agent.

Within ~~thirty (30)~~ days of a ~~any~~ termination of a licensed any ~~registered~~ preneed sales agent, the ~~preneed~~ licensee shall give written notice to the Department. The notice may be submitted in writing, electronically, or via facimile, and shall contain:

(1) No change.

(2) The name, license number, and business location of the preneed licensee where the preneed sales agent was working; and

(3) The sSignature of an authorized agent of the preneed licensee.

Rulemaking Authority 497.103 FS. Law Implemented 497.466(7)(e) FS. History—New 5-29-94, Formerly 3F-5.0035, Amended 1-12-04,___.

69K-5.004 Application and Renewal Procedures for Licensure of Licensing a New Cemetery.

(1) To apply for a cemetery license, an applicant shall submit to the Department the following ~~Any corporation, partnership or limited liability company wishing to establish a cemetery should review the requirements of the Florida Funeral, Cemetery, and Consumer Services Act (Chapter 497, F.S.) and applicable rules and regulations before filing a formal application for permission to start a cemetery in the State of Florida. The following should then be completed and submitted to the Department:~~

(a) The Application to Organize a New Cemetery Company, Form DFS-CEMN, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19838>. The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein ~~adopted in Rule 69K 1.001, F.A.C., and a non refundable fee in the amount of \$5,005;~~

(b) The Application to Transact Cemetery Business, Form DFS-CEM, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19837>. and a license fee of \$255 to \$4,905 depending on the applicant's

~~most current annual gross sales, refundable if license is not issued~~ The application must be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein;

(c) ~~A Current Financial Statement of each proponent, Form DFS-F-32, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19840> adopted in Rule 69K-1.001, F.A.C.~~ A Financial Statement, Form DFS-F-32, must be submitted by each principal of the applicant's business entity.

(d) A non-refundable application fee of \$5,000.00;

(e) A non-refundable unlicensed activity fee of \$5.00;

(f) Fingerprints pursuant to Rule 69K-1.002, F.A.C.; and

(g) A non-refundable annual license fee in accordance with Section 497.265, F.S.

(2) To renew a cemetery license, the licensee must be registered and must login through the FACS-DICE system located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit a renewal application and fees through the FACS-DICE system between October 31 and December 31 of each year as follows: An application may be submitted to the Department by mail to the Division of Funeral, Cemetery and Consumer Services, Revenue Processing, P.O. Box 6100, Tallahassee, Florida 32399-6100. All forms herein are available by mail from The Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361 or <http://www.myfloridacfo.com/Division/funeralcemetery/>.

(a) The Application for Cemetery Licensure Renewal, Form DFS-N1-1702, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19843>;

(b) A non-refundable unlicensed activity fee of \$5.00;

(c) A non-refundable annual license fee in accordance with Section 497.265, F.S.; and

(d) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161, 497.263 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.263, 497.265 497.266, 497.268, 497.283 FS. History—New 9-29-75, Amended 6-21-77, 6-21-78, 11-2-78, 1-27-81, Formerly 3D-30.15, Amended 10-23-91, Formerly 3D-30.015, Amended 12-8-98, 6-26-02, Formerly 3F-5.004, Amended 1-12-04, 3-1-16.

69K-5.006 Procedure for Licensing Transferred Cemeteries.

~~(1) Application. A person, a group of persons, or a corporation proposing to purchase or acquire control of an existing cemetery company, either by purchasing the outstanding capital stock of any cemetery company; or the interest of the owner or owners, and thereby changing to change the control of said cemetery company, shall submit to file the following applications with the Department by mail to the following: Division of Funeral, Cemetery and Consumer Services, Revenue Processing, P.O. Box 6100, Tallahassee, Florida 32399-6100.~~

(a) The Completion of an Application for Authority to Acquire Control of an Existing Cemetery Company, Form DFS-F-35, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19841>; adopted in Rule 69K-1.001, F.A.C., shall be accompanied by a license fee which is based on the cemetery's gross sales for the previous fiscal year, pursuant to Section 497.265, F.S.

(b) The Completion of an Application to Transact Cemetery Business, Form CEM, incorporated by reference adopted in Rule 69K-5.004 69K-1.001, F.A.C., shall be accompanied by a license fee based on the cemeteries' last fiscal year sales pursuant to Section 497.265, F.S.

(c) A non-refundable annual license fee in accordance with Section 497.265, F.S.;

(d) A non-refundable unlicensed activity fee of \$5.00;

(e) Fingerprints pursuant to Rule 69K-1.002, F.A.C.;

(f) If the application is due to a change in ownership that will not be accompanied by any change in ultimate control, a non-refundable application fee of \$500.00; and

(g) If the application is due to a change in ownership that will be accompanied by a change in ultimate control, a non-refundable application fee of \$5,000.00.

(2) The eExisting license must be returned to the Board for cancellation. No license is transferable or assignable.

(3) Conditions. Any deficits must be cleared by the present owner to trust funds, or a written statement waiving a final examination must be signed by the purchaser; thereby making him responsible for any deficits to the trust fund. If a new trustee is appointed, a copy of the trust agreement must be approved by the Department before the trust fund is transferred.

(4) Investigation. The Department shall investigate the following conditions:

(a) through (c) No change.

(d) Whether money is due to any of the trust funds, unless waived;

(e) Current financial statement for each proponent; and

(f) No change.

(5) Issuance of license. If the department finds that the proposed owner or owners of the existing cemetery company has in good faith complied with all lawful requirements, it shall issue a new cemetery license.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.161, 497.264 FS. History—New 9-29-75, Amended 11-2-78, 1-27-81, Formerly 3D-30.17, Amended 10-23-91, Formerly 3D-30.017, Amended 9-18-01, 6-26-02, Formerly 3F-5.006, Amended 1-12-04, 3-1-16, ____.

69K-5.007 Conversion Procedures.

(1) When a municipal, church owned, fraternal, or community, or and non-profit association cemetery converts to a cemetery company, as defined in Section 497.005, F.S., the then said cemetery shall submit to file the following with the Department the following:

(a)(1) The Application To Organize A New Cemetery Company, Form DFS-CEMN, incorporated by reference adopted in Rule 69K-5.004 69K-1.001, F.A.C. The This application must shall be completed and signed within 30 days prior to receipt by the Department and submitted in accordance with the instructions therein; accompanied by a non-refundable application fee of \$5,005.

(b) A non-refundable application fee of \$5,000.00;

(c) A non-refundable unlicensed activity fee of \$5.00;

(d) A copy of the sales agreement;

(e) Fingerprints pursuant to Rule 69K-1.002, F.A.C.;

(f) The Application to Transact Cemetery Business, Form DFS-CEM, incorporated by reference in Rule 69K-5.004, F.A.C.; and

(g) A license fee pursuant to Section 497.265, F.S.

(2) The converted cemetery company shall establish and maintain a care and maintenance trust fund. The initial deposit for establishment of this trust fund shall be an amount equal to \$10.00 per space for all spaces either previously sold or contracted for sale in said cemetery at the time of conversion or \$50,000, whichever sum is greater.

(3) Copy of sales agreement.

(4) Completion of an Application To Transact Cemetery Business, Form DFS-CEM, adopted in Rule 69K-1.001, F.A.C. Form DFS-CEM shall be accompanied by a license fee based on the cemetery's last fiscal year sales pursuant to Section 497.265, F.S.

Rulemaking Authority 497.10, 497.140, 497.141, 497.142, 497.146, 497.161 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.263, 497.265 FS. History—New 9-29-75, Amended 1-27-81, Formerly 3D-30.19, Amended 10-23-91, Formerly 3D-30.019, Amended 6-26-02, Formerly 3F-5.007, Amended 3-1-16, 11-7-22, ____.

69K-5.008 Request for Additional Information – Applications.

Rules 69K-5.004, 69K-5.006, 69K-5.007, and 69K-5.009, F.A.C., provide methods, procedures and supporting documentation for the licensing of new cemeteries, transferred cemeteries, and for conversion procedures. All information the applicant wants to present in order to support an the application submitted in accordance with the Rules stated above must should be submitted with the original filing. The required exhibits in the application forms are not intended to limit the applicant's presentation of any of the requirements, but merely represent the minimum information to be filed by an applicant. Additional information must be submitted within sixty (60) days after a request therefor if specifically requested by the Department within thirty (30) days after receipt of the application. Failure to respond to such request within sixty (60) days after the date of the request will be construed by the Department and the Board of Funeral, Cemetery, and Consumer Services as grounds for denial of an application in accordance with the provisions of Section 120.60, F.S., and the file shall be closed. Should the file be closed pursuant to these provisions, the applicant shall be duly notified.

Rulemaking Authority 497.103, 497.141, 497.161, 497.263 FS. Law Implemented 120.60, 497.263 FS. History—New 12-22-81, Formerly 3D-30.29, 3D-30.029, Amended 6-26-02, Formerly 3F-5.008, Amended 1-12-04, ____.

69K-5.009 Regulatory Standards for Evaluating Applications by the Board.

(1) When an application for authority to organize and operate a new cemetery company is filed, it is the applicant's responsibility to meet the statutory criteria set forth in Section 497.263, F.S., warranting the grant of authority to organize and operate a new cemetery company. If the Board determines, in the opinion of the Board, any one of the criteria as set forth in Section 497.263, F.S., which requires board review and approval, is has not been met and cannot be remedied by the applicant, the Department cannot approve the application.

(2) The applicant shall submit information to the Department addressing the following:

(a)(1) Capital structure.

1.(a) Capital must should be adequate to enable the new cemetery to provide necessary services for cemeteries, including adequate service to the community and adequate care and maintenance of the cemetery.

2.(b) Capital must shall be sufficient to purchase a cemetery site of no less than thirty (30) contiguous acres in fee simple unencumbered; to develop at least two (2) acres for burial spaces including paved road from a public roadway; to purchase or lease adequate equipment for the operation and

maintenance of the cemetery; and to build or lease suitable facilities to operate the cemetery.

~~3.(e) Capital must be~~ An applicant shall demonstrate that it has sufficient capital to sustain its operations until its first projected profitable year. Sufficient capital shall mean that the applicant is able to cover its cumulative losses until projected profitability; provided that, in no event may the tangible accounting net worth of the applicant be less than \$50,000. The applicant shall demonstrate demonstration of sufficient capital shall be made by submitting submittal of a reasonable business plan covering every year from inception, up to and including its first projected year of profitability, and shall provide providing:

a.1- Revenue expectations based on the applicant's projected sources of revenue and projected revenue, including number of annual sales, and average sales on a unit basis, and a demographic analysis of the applicant's projected market which supports this revenue projection;

b.2- An analysis of the cost incurred to achieve the projected revenues, including the costs of sales costs, products product costs, delivery of service costs, financing of capital requirements cost, care and maintenance costs, and the cost of perpetual care (including other sources of funds in the event of shortfalls in the perpetual care funds); and;

c.3- No change.

~~(b)(2)~~ Proposed executive officers, directors, or principals.

1.(a) Each proposed officer, director, or principal shall submit an executed Historical Sketch, ~~through~~ Form DFS-HistS, ~~which is incorporated by reference in Rule 69K-5.002 69K-1.001, F.A.C., and can be accessed where indicated in subsection 69K-1.001(1), F.A.C., and shall have reputations~~ evidencing honesty and integrity, and employment and business histories demonstrating their responsibility in financial affairs. The fact that a proposed officer, director, or principal has been adjudicated bankrupt or has filed for relief under the Federal Bankruptcy Act shall be considered a material factor in the evaluation of responsibility in financial affairs.

2.(b) At least one (1) of the proposed directors or principals, who is not also a proposed officer, shall have had substantial direct experience as an executive officer, director, or principal of a cemetery or a preneed licensee licensed pursuant to Section 497.452, F.S., within three (3) years of the date of the application. ~~If in the opinion of the Board determines~~ the aggregate level of experience represented by the proposed board of directors or principals is not substantial, the Board shall require the addition of other outside directors or principals who have adequate experience.

3.(e) The proposed general manager shall have at least three (3) years of direct cemetery management experience within seven (7) years of the application date as a general manager, director, ~~or~~ regulator of a cemetery, or a similar position having an equivalent level of responsibility for a

cemetery. The general manager must have a reputation evidencing honesty and integrity and an employment history demonstrating competent past experience. It is not necessary that the name of the general manager be submitted with the application. However, this individual must be named and have submitted an executed Historical Sketch, ~~on~~ Form DFS HistS, ~~which is incorporated by reference in Rule 69K-5.002 69K-1.001, F.A.C., no later than ninety (90) days prior to the applicant's intended opening date. The applicant may not open for business without the Department's prior approval of the general manager.~~

4.(d) Change of a director, chief executive officer, president, principal, or general manager or the addition of any new directors ~~or~~ executive officers through the first two (2) years of operation shall also require approval of the Department and the Board.

5.(e) The Department shall conduct background investigations on the principals, general manager, executive officers, directors, and major shareholders. Any misrepresentation or omission of fact in an application by any person shall be cause for the Department or the Board to deny that person's participation in the application, and to the extent such misrepresentation or omission of fact reflect upon their honesty and integrity, shall be grounds for denial of the entire application.

Rulemaking Authority 497.103, 497.263 FS. Law Implemented 497.263 FS. History—New 7-22-97, Amended 6-26-02, Formerly 3F-5.009, Amended 12-24-18.

69K-5.011 Preneed Sales Agent Licensure and Appointment Renewal.

~~(1) Each active preneed sales agent (PSA) license shall be renewed for a biennial period beginning two (2) years after their initial date of appointment. Prior to the end of the biennial period, the Department will mail or email a renewal notice to the appointing entity for each PSA at their address of record or email on file through Form DFS PNSR 1, Notice of Approaching Preneed Sales Agents Renewal Date (Rev. 08/16), which is hereby incorporated by reference as part of this rule, and a copy can be obtained through the Division's website at <https://www.MyFloridaacfo.com/Division/funeralcemetery/Licensing/default.htm> or <http://www.flrules.org/Gateway/reference.asp?No=Ref 10101>. In order To timely renew a preneed sales agent (PSA) the appointment, the appointing entity must submit the appropriate renewal submission and fees either: (a) electronically through their account on the Department's Industry Portal located at https://iportal.fldfs.com/fccs_eappoint/. The appointing entity shall: Producer Appointment System (eAppoint), which can be accessed through the Division's website at <http://www.MyFloridaacfo.com/division/funeralcemetery/> or~~

~~(b) by mailing a copy of the completed paper form's Renewal Summary page to the Department's address indicated on the form. The appointing entity shall follow the instructions provided on either the form or the eAppoint website in order to submit an appointment renewal and pay the renewal fees to the Department. The process overview for PSA renewal submissions electronically through eAppoint is provided in Form DFS-N1-2179, Preneed Sales Agent (PSA) Online Renewal (Effective 08/18), which is hereby incorporated by reference as part of this rule, and a copy can be obtained through the Division's website at <https://www.MyFloridacfo.com/Division/funeralcemetery/Licensing/default.htm> or <http://www.flrules.org/Gateway/reference.asp?No=Ref 10099>. Failure to receive any notification does not relieve the licensee of the responsibility to meet the renewal application requirements. There is a \$250 non-refundable renewal fee for each PSA appointment that is renewed electronically, and for each PSA appointment choosing to renew by paper form there is a \$25 non-refundable fee, in addition to the \$250 non-refundable renewal fee, for manual application processing by the Department. Failure to timely renew and pay the fees for PSA appointments shall result in the termination of the appointment.~~

(a) Follow the PSA renewal submissions instructions provided in Preneed Sales Agent (PSA) Online Renewal, Form DFS-N1-2179, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=ref-19846>;

(b) Pay a non-refundable renewal fee of \$250.00; and

(c) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(2) The preneed sales agent (PSA) license shall be renewed for a biennial period beginning two (2) years after their initial date of appointment. The received date shall be the date stamped on the application when received by the Department's cashier office in Tallahassee, Florida.

(3) Failure to timely renew and pay the fees for PSA appointments shall result in the termination of the appointment.

(4)(3) Renewal filings must be received by the Department on or before the last day of the renewal deadline required in subsection (1). If the last day of the renewal year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., renewal applications received on the next business day will be considered timely received.

(5)(4) A preneed sales agent appointment that is not renewed as required in subsection (1) shall automatically expire on the last day of the biennial period.

Rulemaking Authority 497.103, 497.140, 497.141, 497.161, 497.466 FS. Law Implemented 497.140, 497.141, 497.161, 497.466 FS. History—New 3-12-02, Formerly 3D-30.060, 69K-100.060, Amended 12-24-18.

69K-5.0125 Minimum Records to be Maintained by Burial Rights Brokers; Inspection of Records.

(1) Definitions. As used in this Rule, the following definitions apply:

(a) "Person" includes natural persons, corporations, limited liability companies, trusts, and partnerships.

(b) No change.

(2) A person involved in the sale or transfer of burial rights under Section 497.281, F.S., shall maintain the following records for each sale or transfer of a burial right:

(a) through (d) No change.

(e) The total amount of compensation paid to the burial rights broker for the sale or transfer, with identification of who has paid the burial rights broker; that is, the acquirer, the seller, or other (named) person.

(f) through (m) No change.

(n) The complaint log and related records required under Section 497.151, F.S.

(3)(a) The records required to be maintained by this Rule shall be maintained at the burial rights broker's address identified on the most recent licensure application or renewal form under Section 497.281, F.S. The records shall be maintained in written or in electronic form. If the records are maintained in electronic form, the burial rights broker shall at all times have available at the same place where the records are maintained, all equipment and software needed to allow the immediate viewing of such records upon request by the Department's inspector.

(b) When a person licensed under the provisions of chapter 497, F.S., other than Section 497.281, F.S., engages in activity as a burial rights broker under Section 497.281, F.S., such person shall maintain the records required by subsection (2) of this Rule, at such person's primary place of business in Florida.

(4) Records required to be maintained under this Rule shall be kept until the later of the following dates:

(a) Five (5) years after the date a final interment has occurred using the burial rights that were the subject of the sale or transfer;

(b) Twelve months after the most recent inspection of the records by the Department under this Rule.

(5) The Department of Financial Services shall inspect the records of each burial rights broker at least once every two (2) years.

Rulemaking Authority 497.103(5)(b), 497.149, 497.161, 497.281 FS. Law Implemented 497.103(2)(a), 497.149, 497.281 FS. History—New 5-25-09, Amended .

69K-5.013 Procedure for Report of Identification for an Exempt Cemetery and Renewal Procedure.

(1) Each cemetery ~~registering required to register~~ as an exempt cemetery pursuant to Sections 497.260 and 497.287, F.S., shall submit to the Department the following:

(a) ~~The A-completed~~ Report of Identification for an Exempt Cemetery, Form DFS-EC-1, effective 07/26, which is hereby incorporated by reference ~~in Rule 69K-1.001, F.A.C.,~~ and available on the Department's website at <http://www.MyFloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/gateway/reference.asp?No=Ref-19839>. The report must be completed and, signed within, ~~and verified less than thirty (30) days prior to receipt by the Department and submitted in accordance with the instructions therein; and~~

(b) A non-refundable registration fee of \$25.00; ~~and shall be the fee for each five (5) year period beginning October 1, 2013, or any part thereof.~~

(c) A non-refundable unlicensed activity fee of \$5.00.

(2) ~~Request for Additional Information.~~ The Department shall review the report to determine that it is complete. If any required information has been omitted, the Department shall notify the ~~exempt~~ cemetery of the omission within ~~thirty (30)~~ days after receipt of the report and shall allow the ~~exempt~~ cemetery ~~forty-five (45) days~~ from the date of the request to respond.

(3) To renew an exempt cemetery, the licensee must be registered and must login through the FACS-DICE system located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit a renewal application and fees through the FACS-DICE system between July 1 and September 30 of every fifth year, which includes:

(a) The Report of Identification for an Exempt Cemetery Renewal, Form DFS-N1-1703, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=ref-19844>;

(b) A non-refundable renewal fee of \$25.00; and

(c) A non-refundable unlicensed activity fee of \$5.00.

~~(4)(3)~~ Amendment of Registration. When the information provided to the Department in the Report of Identification for an Exempt Cemetery, Form DFS-EC-1, or in the Report of Identification for an Exempt Cemetery Renewal, Form DFS-N1-1703, form changes, the cemetery shall notify the Department ~~of the change~~, in writing, within ~~thirty (30)~~ days.

~~(5)(4)~~ The Board, through the Department, may institute proceedings for injunctive relief to enforce the requirements of this ~~R~~ule or Section 497.287, F.S. Grounds for such injunctive relief include a reasonable belief that the applicant fails to qualify for the exemption.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161, 497.287 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.260, 497.287 FS. History—New 3-3-97, Formerly 3D-30.110, 69K-100.110, Amended 12-24-18.

“Application for Transfer of a Preneed License” Form DFS-EC-1 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-09980>.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES**Division of Funeral, Cemetery, and Consumer Services**

RULE NOS.: RULE TITLES:

69K-7.0095 Preneed Trust Fund; Financial Reports

69K-7.010 Reporting Requirements for Preneed
Licensees Utilizing a Surety Bond in Lieu of
Maintaining a Trust Fund

69K-7.013 Procedures for Filing a Claim through the
Department

PURPOSE AND EFFECT: The proposed rulemaking will revise reporting and claim filing procedures, incorporate updated forms, and update the Rulemaking Authority and Law Implemented Sections.

SUMMARY: This rulemaking will address reporting requirements and claim filing procedures from the Preneed Trust Fund.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic review for this rulemaking. 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: 497.103, 497.458, 497.462 FS.

LAW IMPLEMENTED: 497.103, 497.458, 497.462 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: Mary Schwantes, Division Director, Division of Funeral, Cemetery, and Consumer Services, at, (850)413-4984 or Mary.Schwantes@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-7.0095 Preneed Trust Fund; Financial Reports.

(1) All preneed licensees shall ensure that any entity that served as trustee beginning ~~April 1, 2018~~ ~~January 1, 2017~~, or thereafter, for the preneed licensee's preneed trust, pursuant to ~~Section Sections~~ 497.458(1) and (2), F.S., shall, by no later than April 1st of the following calendar year, file an annual report on the Preneed Trust Fund – Annual Trustee Report, Form DFS-N1-2183, ~~Preneed Trust Fund, Annual Trustee Report~~ ~~(Effective 07/26 03/19)~~, which is hereby incorporated by reference and available on the Department's website at <http://myfloridacfo.com/Division/FuneralCemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19864>, for all or portion of the calendar year in which it acted as trustee of the trust. ~~This form is incorporated by reference in Rule 69K 1.001, F.A.C., and can be obtained via the Department's website at https://myfloridacfo.com/Division/funeralcemetery/.~~

(2) The trustee may ~~also~~ submit the annual report in a format ~~that will be~~ acceptable to the ~~Department~~ ~~Division~~ if it provides no less information than that required by the Preneed Trust Fund – Annual Trustee Report, Form DFS-N1-2183. Additionally, any entity that served as trustee for the preneed licensee's trust in a calendar year must maintain a list of receipts showing the date and amount of any disbursement made during the applicable calendar year, and retain such documentation for a period of at least five (5) years.

Rulemaking Authority 497.103(2)(a), (e), (4), 497.458(1)(a) FS. Law Implemented 497.103(2)(a), (4), 497.458 FS. History–New 10-6-19, Amended _____.

"Preneed Trust Fund – Annual Trustee Report" Form DFS-N1-2183 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-11118>.

69K-7.010 Reporting Requirements for Preneed Licensees Utilizing a Surety Bond in Lieu of Maintaining a Trust Fund.

(1) A preneed licensee which chooses to utilize a surety bond in lieu of maintaining a trust shall submit to the Department the following: ~~must file a report of outstanding liabilities of merchandise and services to be covered under the~~

~~surety bond to accompany the application as provided for in Rule 69K 7.012, F.A.C. This report shall be used to determine the amount of the surety bond and shall contain the following information in sequential order:~~

(a) The Care and Maintenance Trust Fund, Annual Trustee Report, Form DFS-N1-2178, incorporated by reference in Rule 69K-7.0012, F.A.C.; ~~An itemized listing in numerical order of all contracts sold during or subsequent to 1972 which have an existing outstanding liability for undelivered merchandise or services;~~

(b) The Application to Use a Surety Bond, Form DFS-C-1, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://www.myfloridacfo.com/Division/funeralcemetery or https://www.flrules.org/Gateway/reference.asp?No=Ref-19861; and The purchaser's name;

(c) The Surety Bond, Form DFS-C-2, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://www.myfloridacfo.com/Division/funeralcemetery or https://www.flrules.org/Gateway/reference.asp?No=Ref-19862. ~~A brief description of the merchandise for which a liability exists;~~

(d) ~~The total liability to the preneed licensee for all undelivered merchandise or services which were sold during or subsequent to 1972.~~

(2) The report shall be submitted ~~filed~~ in the following manner:

(a) The report must be signed by the preneed licensee's chief financial officer ~~or authorized representative;~~

(b) The report shall be compiled annually and must be submitted to the Board within ~~one hundred five (105) days~~ from the end of the preneed licensee's fiscal year.

(3) The preneed licensee's obligation to submit ~~file~~ this report with the Board shall end upon the preneed licensee ceasing the use of a surety bond.

Rulemaking Authority 497.103, 497.462 FS. Law Implemented 497.462 FS. History–New 3-20-91, Formerly 3D-30.038, Amended 10-25-95, 5-27-98, Formerly 3F-7.010, Amended 9-9-18, _____.

69K-7.013 Procedures for Filing a Claim through the Department.

A buyer of preneed merchandise or services who does not receive such services or merchandise due to the economic failure, closing, or bankruptcy of the preneed licensee which has submitted a surety bond to the Department in lieu of utilizing a preneed trust fund may file a claim by submitting to the Department the Surety Bond Claim Form, Form DFS-C-3, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://www.myfloridacfo.com/Division/funeralcemetery or

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-19863>, through the Department as provided by Section 497.462(2)(c), F.S. The name and address of the surety company will be provided by the Department. Once the requirements of Section 497.462, F.S., have been met, the purchaser of preneed merchandise or services must file the claim in the following manner:~~

~~(1) Submit to the Department Form DFS-C-3, Surety Bond Claim Form (Rev. 11/18), which is incorporated by reference in Rule 69K-1.001, F.A.C., and can be obtained via the Department's website at <https://myfloridacfo.com/Division/funeralcemetery/>;~~

~~(2) Attach a copy of the preneed contract for merchandise or services that is the subject of the claim, and provide documentation evidencing the purchaser's payment for the merchandise or services; and~~

~~(3) Submit evidence that the purchaser has made reasonable attempts to have the preneed licensee deliver the merchandise or perform the service.~~

Rulemaking Authority 497.103, 497.462(9) FS. Law Implemented 497.462(2)(a), (2)(c) FS. History—New 3-20-91, Formerly 3D-30.040, Amended 6-21-01, Formerly 3F-7.013, Amended 10-6-19, ____.

“Surety Bond Claim Form” Form DFS-C-3 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-11117>.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-10.002 Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund

PURPOSE AND EFFECT: The proposed rulemaking will remove superfluous language from the rule text, revise procedures to request reimbursement, and incorporate relevant forms.

SUMMARY: This rulemaking will address procedures to request reimbursement from the Preneed Funeral Contract Consumer Protection Trust Fund.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic review for this rulemaking. 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: 497.103, 497.456 FS.

LAW IMPLEMENTED: 497.56 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: Mary Schwantes, Division Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4984 or Mary.Schwantes@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-10.002 Disbursement from the Preneed Funeral Contract Consumer Protection Trust Fund.

~~The purpose of the Preneed Contract Consumer Protection Trust Fund is to provide restitution to preneed contract purchasers and their estates due to a preneed licensee's or otherwise covered provider's failure to provide the benefits of a preneed contract or failure to refund the appropriate principal amount by reason of cancellation thereof.~~ All restitution to be paid from the Preneed Funeral Contract Consumer Protection Trust Fund shall be subject to review and approval of the Board. Amounts disbursed from the Preneed Funeral Contract Consumer Protection Trust Fund shall be determined in accordance with the following criteria:

(1) The Board shall determine ~~whether to its satisfaction that~~ the preneed licensee or otherwise covered provider does not possess the financial means to deliver or provide the prearranged merchandise or services. Such determination will be based on information the Board will require for review and ~~shall~~ may include the following, if applicable:

(a) Review of delinquency proceedings pursuant to ~~c~~Chapter 631, F.S., against a preneed licensee or otherwise covered provider;

(b) and (c) No change.

(d) Review of any funding source used for the preneed contracts; and

(e) No change.

(2) Requests for restitution shall be submitted to the Department as follows: on the Preneed Funeral Contract Consumer Protection Trust Fund Proof of Claim and Disbursement Request form, DFS TFD 1, which is incorporated by reference in Rule 69K 1.001, F.A.C., and available from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399 0361. Restitution will only be made if the preneed licensee or otherwise covered provider was licensed as a preneed licensee or was regulated under Chapter 470, F.S., when the contract was written. All requests for restitution from the Preneed Funeral Contract Consumer Protection Trust Fund shall be accompanied by a copy of the preneed contract and documentation which verifies the total funds paid on preneed contract, and that the applicant has not defaulted in the terms of the contract. In addition, documentation that the preneed licensee or otherwise covered provider has failed to provide the benefits of the preneed contract or has failed to refund the appropriate principal amount by reason of cancellation.

(a) An at-need provider who has provided deathcare goods or services for a decedent who was a beneficiary under a preneed contract shall submit the following:

1. The Preneed Claim – Form A, Form DFS-TFD-1A, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19867>; and

2. The Assignment of Rights – Preneed Claim, Form DFS-AOR-1, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19866>.

(b) A surviving spouse, family member, or legal representative of a decedent who was a beneficiary under a preneed contract shall submit the Preneed Claim – Form B, Form DFS-TFD-1B, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19868>; or

(c) A purchaser of a preneed contract seeking a refund shall submit the Preneed Claim – Form C, Form DFS-TFD-1C, effective 07/26, which is hereby incorporated by reference and available on the Department’s website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19869>.

(3) Restitution will only be made if the preneed licensee or otherwise covered provider was licensed as a preneed licensee or was regulated under chapter 470, F.S., when the contract was written. All requests for restitution from the Preneed Funeral Contract Consumer Protection Trust Fund shall be accompanied by the following:

(a) A copy of the preneed contract;

(b) Documentation verifying the total funds paid on preneed contract;

(c) Documentation verifying that the applicant has not defaulted in the terms of the contract; and

(d) Documentation verifying that the preneed licensee or otherwise covered provider has failed to provide the benefits of the preneed contract or has failed to refund the appropriate principal amount by reason of cancellation.

(3) through (4) renumbered as (4) through (5) No change.

(6)(5) As used herein, the term “Restitution” means the disbursement of funds from the Preneed Funeral Contract Consumer Protection Trust Fund, to a preneed licensee or other entity that is licensed by state law to provide services at-need, from the Preneed Funeral Contract Consumer Protection Trust Fund after fulfillment of a previously breached contract. After fulfillment, interest accrued in a merchandise trust account or any similar account shall be transferred with the principal to the fulfilling preneed licensee or provider.

(7)(6) If a preneed licensee or provider has been assigned a breached contract by the purchaser, owner, or beneficiary and is willing to completely fulfill the breached contract, an application for disbursement of funds to the purchaser, owner, or beneficiary of a breached contract will not be considered by the Board. In addition, a purchaser, owner, or beneficiary of a breached contract, that would otherwise form the basis of a claim for restitution, who cancels the contract and receives funds from a trustee will not be considered for restitution from the Preneed Funeral Contract Consumer Protection Trust Fund.

(8)(7) Notwithstanding the provisions of subsection (6)(5) or (7)(6), direct monetary disbursements of funds from the Preneed Funeral Contract Consumer Protection Trust fund will be made directly to the purchaser, owner, or beneficiary if both of the following conditions exist:

(a) Funds, up to the amount paid on the breached contract, do not exist in trust or one of the alternatives to a trust as outlined in Sections 497.458, 497.462 and 497.464, F.S., so long as the purchaser, owner, or beneficiary has not received funds from the trustee, and

(b) A preneed licensee or otherwise covered provider willing to that will fulfill the breached contract for the identical services and merchandise is not available. Direct monetary disbursement of funds from the Preneed Funeral Contract Consumer Protection Trust Fund will also be made to the purchaser, owner, or beneficiary if a provider breaches the

original contract and the consumer is forced to purchase another contract. In this case, restitution will be made after fulfillment of the secondary contract for up to the amount paid on the original contract purchases less money trusted.

~~(9)(8)~~ Nothing in this Rule shall be construed to apply to insurance policies sold to fund preneed contracts, or to permit payment of a request for restitution from the Preneed Funeral Contract Consumer Protection Trust Fund, where the preneed contract was funded by a life insurance policy prior to July 1, 1996. The Department shall, at all times, retain jurisdiction in determining whether a contract purchased constitutes a preneed contract as defined by Chapter 497, F.S., or a prearranged burial plan funded by an insurance policy.

Rulemaking Authority 497.103, 497.456 FS. Law Implemented 497.456 FS. History—New 5-23-94, Amended 12-4-95, 10-18-99, 6-21-01, Formerly 3F-10.002, Amended 3-7-16, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.: RULE TITLES:

69K-12.002 Procedure for Licensing a Monument Establishment

69K-12.003 Procedures for Submission and Approval of Monument Establishment Retail Sales Agreements

PURPOSE AND EFFECT: The proposed rulemaking clarifies the licensure and renewal process of both a monument establishment and a monument establishment sales agent; sets forth the requirements for obtaining licensure as a monument establishment sales agent; establishes an electronic process for licensure renewals; and modernizes the incorporated forms.

SUMMARY: These rules establish criteria and procedure for licensure and renewal of monument establishment licenses and monument establishment sales agent licenses. These rules establish procedure for a change in location of a monument establishment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the potential impact of the proposed rule amendments determined that there will be no adverse economic impact or increased regulatory costs that would require legislative ratification.

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

RULEMAKING AUTHORITY: 497.103, 497.141, 497.161, 497.550, 497.551, 497.553, 120.60, FS.

LAW IMPLEMENTED: 497.140, 497.141, 497.161, 497.550, 497.551, 497.553, 120.60 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: Mary Schwantes, Division Director, Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, (850)413-4984 or Mary.Schwantes@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-12.002 ~~Procedure for Licensing a Monument Establishment~~ Licensure, Renewal, and Change in Location.

(1) To apply for a monument establishment license, an applicant shall apply to the Department by submitting the following: Each person desiring to obtain a license as a monument establishment shall apply to the Department by submitting the following:

(a) The A-completed Application for License of a Monument Establishment Licensure, Form DFS-C-MON1, (Effective 07/26 3-3-97, which is hereby incorporated by reference, and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19870>, by mail from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361. The application for license must be completed and signed no more than within thirty (30) days prior to receipt by the Department and submitted in accordance with the instructions therein; and

(b) No change.

(c) A non-refundable unlicensed activity fee of \$5.00; The biennial renewal fee for a Monument Establishment license shall be \$250.

(d) A non-refundable annual inspection fee set forth in Rule 69K-12.011, F.A.C.; and

(e) Fingerprints pursuant to Rule 69K-1.002, F.A.C.

(2) No change.

(3) No change.

(4) Withdrawal of ~~Application License~~. An applicant may request withdrawal of ~~an application a license~~ prior to a determination of ~~licensure being the registration~~ made by the ~~licensing authority Department~~ by submitting a written request that the ~~application license~~ be withdrawn.

(5) No change.

(6) Upon approval of the ~~application license~~, a license will be issued for the remainder of the biennial license period.

(7) To renew a monument establishment license, the licensee must be registered and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit a renewal application and fees through the FACS-DICE system between July 1 and September 30 of each odd-numbered year as follows:

(a) The Application for Monument Establishment Builder Licensure Renewal, Form DFS-N1-1772A, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19873>. In addition to any other fees established, the fees to renew a Monument Establishment Builder license are:

1. A non-refundable renewal fee of \$250.00;

2. A non-refundable unlicensed activity fee of \$5.00;

3. A non-refundable annual inspection fee set forth in Rule 69K-12.011, F.A.C.; and

4. If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(b) The Application for Monument Establishment Retailer Licensure Renewal, Form DFS-N1-1772B, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19874>. In addition to any other fees established, the fees to renew a Monument Establishment Retailer license are:

1. A non-refundable renewal fee of \$250.00;

2. A non-refundable unlicensed activity fee of \$5.00;

3. A non-refundable annual inspection fee set forth in Rule 69K-12.011, F.A.C.; and

4. If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(8) To apply for a monument establishment sales agent license, an applicant shall apply to the Department by submitting the following:

(a) The Application for Monument Establishment Sales Agent Licensure, Form DFS-N1-1762, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19871>;

(b) A non-refundable application fee of \$50.00;

(c) A non-refundable unlicensed activity fee of \$5.00; and

(d) Fingerprints pursuant to Rule 69K-1.002, F.A.C.

(9) To renew a monument establishment sales agent license, the licensee must be registered and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit a renewal application and fees through the FACS-DICE system between July 1 and September 30 of each odd-numbered year as follows:

(a) The Application for Monument Establishment Sales Agent Licensure Renewal, Form DFS-N1-1763, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19872>. In addition to any other fees established, the fees to renew a Monument Establishment Builder license are:

1. A non-refundable renewal fee of \$5.00;

2. A non-refundable unlicensed activity fee of \$5.00; and

3. If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(10) Change of Location. To report a change of location of the monument establishment, the monument establishment representative shall submit the following:

(a) A Notice of Change in Location of Monument Establishment, Form DFS-N1-1776, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://myfloridacfo.com/Division/funeralcemetery/> or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19875> and submitted in accordance with the instructions therein;

(b) A non-refundable new license card fee of \$25.00; and

(c) A non-refundable annual inspection fee set forth in Rule 69K-12.011, F.A.C.

(11) Operations by the licensee at the new monument establishment location must not commence until an inspection by the Department has been conducted and passed at the new location.

Rulemaking Authority 497.103, 497.141, 497.161, 497.550, 497.551, 497.553, 120.60, FS. Law Implemented 497.140, 497.141, 497.161, 497.550, 497.551, 497.553, 120.60 FS. History—New 3-3-97, Formerly 3D-30.050, 69K-100.050, Amended 10-5-09, ____.

“Application for Monument Establishment Licensure” Form DFS-C-MON1 is substantially rewritten. See F.A.C. for recent text at <https://flrules.org/gateway/reference.asp?No=Ref-15126>.

69K-12.003 Procedures for Submission and Approval of Monument Establishment Retail Sales Agreements.

(1) No change.

(2) ~~Within 30 days of the effective date of this rule, Each~~ monument establishment shall mail a copy of its retail sales agreement form ~~for approval~~ to the Department of Financial Services Board of Funeral, Cemetery, and Consumer Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0361.

(3) After reviewing the retail sales agreement for compliance with Rule 69K-12.005, F.A.C., the Department Board shall notify the monument establishment of the Board’s ~~its~~ approval or disapproval of the agreement. The monument establishment shall make changes to the agreement within 45 days from the date of receipt of notice from the Department Board of the need for corrections.

Rulemaking Authority 497.103(1)(a), (5)(a), 497.553(2) FS. Law Implemented 497.103(1)(a), 497.553(2) FS. History—New 11-26-06, Amended ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-16.006 Examination Review Procedures

PURPOSE AND EFFECT: The proposed rulemaking clarifies examination review procedures for licensure applicants.

SUMMARY: The proposed rulemaking revises language to clarify examination review procedures for licensure applicants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic review for this rulemaking. 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: 497.103, 497.144 FS.

LAW IMPLEMENTED: 497.144 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: Mary Schwantes, Division Director, Division of Funeral, Cemetery, and Consumer Services, (850)413-4984, or Mary.Schwantes@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-16.006 Examination Review Procedures.

An applicant is entitled to review his or her examination questions, answers, papers, grades, and grading key used in his or her ~~the~~ examination under such terms and conditions as ~~may~~ be prescribed by the vendor contracted by the Department to facilitate the examination, unless prohibited or limited by the examination policies and procedures rules implementing security or access guidelines of the International Conference of Funeral Service Services Examining Boards.

Rulemaking Authority 497.103, 497.144 FS. Law Implemented 497.144 FS. History—New 11-11-79, Formerly 21J-16.06, 21J-16.006, 61G8-16.006, Amended ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

DEPARTMENT OF FINANCIAL SERVICES**Division of Funeral, Cemetery, and Consumer Services****RULE NOS.: RULE TITLES:**

69K-17.0025 Active Status License
 69K-17.0026 Inactive Status License
 69K-17.0027 Delinquent License
 69K-17.003 Fees
 69K-17.0041 Continuing Education Provider Requirements

69K-17.0042 Approval of Continuing Education Courses
PURPOSE AND EFFECT: The proposed rulemaking will revise licensure, fee, and continuing education requirements; incorporate forms; and update the Rulemaking Authority and Law Implemented Sections.

SUMMARY: This proposed rulemaking makes revisions related to funeral director, embalmer, and funeral director and embalmer licensure requirements; active, inactive, and delinquent license statuses; fee requirements; and continuing education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic review for this rulemaking. 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: 497.103, 497.140, 49.141, 497.142, 497.146, 497.147, 497.161, 497.365, 497.378, 497.379 FS.

LAW IMPLEMENTED: 120.60, 497.140, 497.141, 497.142, 497.144, 497.146, 497.147, 497.162, 497.281, 497.365, 497.368, 497.369, 497.373, 497.374, 497.378, 497.379, 497.603, 497.602, 497.603 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: Mary Schwantes, Division Director, 200 E. Gaines Street, Tallahassee, Florida 32399-0361; (850)413-4984 or Mary.Schwantes@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-17.0025 Funeral Director, Embalmer, and Funeral Director and Embalmer Active Status Licensure Renewal License.

(1) The Department shall renew an active embalmer, funeral director, or funeral director and embalmer license to practice funeral directing upon timely receipt of the complete application for licensure renewal active status, the biennial renewal fee, and certification that the licensee has demonstrated participation in the continuing education.

(2) The term "complete application" for purposes of active status ~~or inactive status~~ licensure shall include proof of continuing education, the application for licensure renewal, the active status fee, and the unlicensed activity fee ~~mean the renewal card including the place of practice and names of all licensed operational personnel.~~

(3) To renew an embalmer license in active status, the licensee must register and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit the required proof of continuing education, renewal application, and fees through the FACS-DICE system between July 1 and August 31 of each odd-numbered year, including:

(a) Proof of continuing education set forth in Rule 69K-17.0034, F.A.C.;

(b) The Application for Embalmer Licensure Renewal, Form DFS-N1-1779, effective 07/26, which is hereby incorporated by reference, and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19880>;

(c) A non-refundable active status fee set forth in Rule 69K-17.003, F.A.C.;

(d) A non-refundable unlicensed activity fee of \$5.00; and

(e) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(4) To renew a funeral director license in active status, the licensee must register and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit the required proof of continuing education, renewal application, and fees through the FACS-DICE system between July 1 and August 31 of each odd-numbered year, including:

(a) Proof of continuing education set forth in Rule 69K-17.0034, F.A.C.;

(b) The Application for Funeral Director Licensure Renewal, Form DFS-N1-1781, effective 07/26, which is hereby incorporated by reference, and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or

<https://www.flrules.org/Gateway/reference.asp?No=Ref-19881>;

(c) A non-refundable active status fee set forth in Rule 69K-17.003, F.A.C.;

(d) A non-refundable unlicensed activity fee of \$5.00; and

(e) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

(5) To renew a funeral director and embalmer license in active status, the licensee must register and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. The licensee must submit the required proof of continuing education, renewal application, and fees through the FACS-DICE system between July 1 and August 31 of each odd-numbered year, including:

(a) Proof of continuing education set forth in Rule 69K-17.0034, F.A.C.;

(b) The Application for Funeral Director and Embalmer Licensure Renewal, Form DFS-N1-1782, effective 07/26, which is hereby incorporated by reference, and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19882>;

(c) A non-refundable active status fee set forth in Rule 69K-17.003, F.A.C.;

(d) A non-refundable unlicensed activity fee of \$5.00; and

(e) If the licensee must disclose a criminal record pursuant to Section 497.142, F.S., the licensee must submit the Criminal History Form, Form DFS-N1-1716, incorporated by reference in Rule 69K-1.008, F.A.C.

Rulemaking Authority 497.103, 497.140, 497.141, 497.142, 497.146, 497.161, 497.365, 497.378, 497.379 FS. Law Implemented 120.60, 497.140, 497.141, 497.142, 497.146, 497.365, 467.378, 497.379 FS. History—New 1-2-95, Formerly 61G8-17.0025, Amended

69K-17.0026 Inactive Status License.

(1) ~~A~~ Any licensee may elect at the time of licensure license renewal to place the license into inactive status by submitting to the Department the following: ~~filing with the Board a complete application for inactive status as defined in Rule 69K-17.0025, F.A.C., and paying the inactive status fee.~~

(a) The Application for Inactive Status, Form DFS-N1-1728, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <http://flrules.org/Gateway/reference.asp?No=Ref-19877>;

(b) A non-refundable inactive status fee set forth in Rule 69K-17.010, F.A.C.; and

(c) A non-refundable unlicensed activity fee of \$5.00.

(2) An inactive status licensee may change to active status at any time by submitting to the Department the following: provided the licensee meets the continuing education requirements of Rule 69K-17.0034, F.A.C., if applicable, pays the active status fees for each biennium during which the license was inactive, pays the reactivation fee, and if the request to change licensure status is made at any time other than at the beginning of a licensure cycle, pays the additional processing fee.

~~However, a licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles shall be required to appear before the Board before the license can be reactivated into active status. The Board at the time of the appearance shall impose upon the licensee reasonable conditions that are necessary to insure the licensee can practice with the care and skill sufficient to protect the health, safety, and welfare of the public.~~

(a) The Application for Reactivation, Form DFS-N1-1725, effective 07/26, which is hereby incorporated by reference and available on the Department's website at <https://www.myfloridacfo.com/Division/funeralcemetery> or <https://flrules.org/Gateway/reference.asp?No=Ref-19876>;

(b) Proof of continuing education set forth in Rule 69K-17.004, F.A.C.;

(c) The active status fee for each biennium during which the license was inactive set forth in Rule 69K-17.003, F.A.C.;

(d) The applicable application for licensure renewal set forth in Rule 69K-17.0025, F.A.C.;

(e) A non-refundable unlicensed activity fee of \$5.00;

(f) The non-refundable reactivation fee set forth in Rule 69K-17.011, F.A.C.; and

(g) If the request to change licensure status is made at any time other than at the beginning of a licensure cycle, the processing fee set forth in Rule 69K-17.009, F.A.C.

(3) A licensee whose license has been in inactive status for more than two (2) consecutive biennial licensure cycles shall be required to appear before the Board before the license can be reactivated into active status. The Board at the time of the appearance shall impose upon the licensee reasonable conditions that are necessary to insure the licensee can practice with the care and skill sufficient to protect the health, safety, and welfare of the public.

Rulemaking Authority 497.103, 497.140, 497.141, 497.146, 497.161, 497.365, 497.379 FS. Law Implemented 120.60, 497.140, 497.141, 497.146, 497.365, 497.379 FS. History—New 1-2-95, Amended 11-11-99, Formerly 61G8-17.0026, Amended

69K-17.0027 Delinquent License.

The delinquent status licensee who applies for active or inactive license status shall:

(1) Failure of a licensee to renew licensure before the expiration of such licensure shall result in the licensee being

~~removed from active or inactive status and placed in delinquent status. File with the Board the complete application for either active or inactive status as defined in subsection 69K-17.0025(2), F.A.C.;~~

~~(2) A licensee in delinquent status may apply to reactivate the license to active status by submitting the following to the Department: Pay to the Board either the active status or inactive status fee, the delinquency fee, and if applicable the processing fee; and~~

~~(a) The Application for Reactivation, Form DFS-N1-1725, incorporated by reference in Rule 69K-17.0026, F.A.C.;~~

~~(b) The applicable licensure renewal requirements set forth in Rule 69K-17.0025, F.A.C.;~~

~~(c) The active status fee set forth in Rule 69K-17.003, F.A.C.;~~

~~(d) The delinquency fee set forth in Rule 69K-17.008, F.A.C.; and~~

~~(e) If applicable, the processing fee set forth in Rule 69K-17.009, F.A.C.~~

~~(3) A licensee in delinquent status may apply for inactive license status by submitting the following to the Department: If active status is elected, demonstrate compliance with the continuing education requirements found in Rule 69K-17.0034, F.A.C.~~

~~(a) The Application for Inactive Status, Form DFS-N1-1728, incorporated by reference in Rule 69K-17.0026, F.A.C.;~~

~~(b) The inactive status fee set forth in Rule 69K-17.010, F.A.C.;~~

~~(c) The inactive status renewal fee set forth in Rule 69K-17.003, F.A.C.;~~

~~(d) The unlicensed activity fee of \$5.00;~~

~~(e) The delinquency fee set forth in Rule 69K-17.008, F.A.C.; and~~

~~(f) If applicable, the processing fee set forth in Rule 69K-17.009, F.A.C.~~

~~Rulemaking Authority 497.103, 497.140, 497.141, 497.146, 497.161, 497.365 FS. Law Implemented 497.140, 497.141, 497.146, 497.365 FS. History—New 1-2-95, Amended 11-11-99, Formerly 61G8-17.0027, Amended~~

69K-17.003 Fees.

~~(1) Licenses and registrations shall be renewed in accordance with the rules of the Department.~~

~~(1)(2) The following biennial active status fees are prescribed by the Board:~~

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

~~(c) Biennial active status fee for license renewal of funeral director and embalmer shall be \$375.~~

~~(2)(3) Applicants Unless exempt, persons initially licensed in the first year of the biennial period shall pay the active status fee in full fees as established in subsection (1) of this Rule 69K-~~

~~17.003(2), F.A.C., in addition to the examination fees as established in Rule 69K-17.001 69K-17.003, F.A.C.~~

~~(3)(4) Applicants Unless exempt, persons initially licensed in the second year of the biennial period shall pay fees of one-half (50%) of the active status fee fees established in subsection (1) of this Rule 69K-17.003(2), F.A.C., in addition to the examination fees as established in Rule 69K-17.001 69K-17.003, F.A.C.~~

~~(4)(5) Renewal of an inactive status license for an embalmer, funeral director, or funeral director and embalmer direct disposer shall be subject to a fee of \$375. Renewal of an inactive license for funeral director/embalmer shall be subject to a fee of \$375.~~

~~(6) In the event that a licensee or registrant changes name, legal documentation must be submitted to the Board office. A fee of \$25.00 will be required, in addition to the return of the original license. A duplicate license, reflecting the new name will be generated, upon receipt of the original license and completion of these requirements. Documentation submitted will remain in the Department's possession.~~

~~(7) The fee for each duplicate license shall be \$25.00. To obtain a duplicate license, a licensee or registrant must file a signed statement with the Department that the license has been lost, stolen, or destroyed and pay the duplicate license fee to the Department. Upon receipt of such notification and payment of the fee, the Department shall generate a duplicate license.~~

~~(5)(8) The fee for approval initial registration as a continuing education course provider shall be \$200.~~

~~(6)(9) The fee for approved continuing education provider renewal renewal of previously approved continuing education providers shall be \$200.~~

~~(10) Unless exempt, the Department shall impose, in addition to all other fees, a special fee of \$5.00, upon each initial license or registration, and renewal thereof, to fund efforts to combat the unlicensed practice of funeral directing and embalming and the unlicensed operation of funeral establishments.~~

~~(7)(11) Unless exempt, the fee for a temporary license shall be \$50.00 fifty dollars (\$50.00).~~

~~(8)(12) Unless exempt, the fees for provisional licenses shall be as follows:~~

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

~~(13) Exemptions. A member of the United States Armed Forces, such member's spouse, and a veteran of the United States Armed Forces who separated from service within 2 years preceding the application for licensure are exempt from the following fees:~~

~~(a) Unlicensed activity fee associated with initial licensure.~~

~~(b) Burial rights broker initial license fee.~~

~~(c) Direct disposer application fee.~~

~~(d) Embalmer application fee.~~

- ~~(e) Embalmer apprentice—licensure fee.~~
- ~~(f) Embalmer by endorsement—application fee.~~
- ~~(g) Embalmer intern—application fee.~~
- ~~(h) Embalmer provisional—application fee and initial provisional licensure fee.~~
- ~~(i) Embalmer temporary—initial issuance fee.~~
- ~~(j) Funeral director—application fee.~~
- ~~(k) Funeral director by endorsement—application fee.~~
- ~~(l) Funeral director intern—application fee.~~
- ~~(m) Funeral director provisional—initial provisional licensure fee.~~
- ~~(n) Funeral director temporary—initial issuance fee.~~
- ~~(o) Monument establishment sales agent—application fee.~~
- ~~(p) Preneed—application fee when applying as an individual.~~
- ~~(q) Preneed sales agent—application fee.~~

The military record must show such member is currently in good standing or such veteran was honorably discharged.

Rulemaking Authority 497.103, 497.140, 497.141, 497.378, 497.379 FS. Law Implemented 497.140, 497.141, 497.281, 497.368, 497.369, 497.370, 497.371, 497.373, 497.374, 497.375, 497.378, 497.379, 497.453, 497.603, 497.466, 497.554, 497.602 FS. History—New 11-11-79, Amended 8-18-82, 4-10-84, Formerly 21J-17.03, Amended 3-10-91, 11-15-92, Formerly 21J-17.003, Amended 4-10-94, 1-10-95, 5-1-96, 9-10-96, 10-13-97, 1-4-98, 2-16-98, 10-12-98, 11-11-99, Formerly 61G8-17.003, Amended 5-19-09, 12-24-18, ____.

69K-17.0041 Continuing Education Provider Requirements.

(1) For purposes of definitions, the following shall apply to this Rule:

(a) through (c) No change.

(d) “Continuing Education Provider” means the person or legal entity that is approved pursuant to this Rule and that is responsible for conducting a course approved pursuant to this Rule chapter.

(2) To apply for continuing education provider status, an applicant must register and login through the FACS-DICE system, located at https://facs.fldfs.com/public/pb_index.asp. An applicant must submit to the Department the following:

(a) The Application for Continuing Education Provider Status, Form DFS-N1-1760, effective 07/26, which is hereby incorporated by reference, and available on the Department’s website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19878>;

(b) A non-refundable application fee set forth in Rule 69K-17.003, F.A.C.; and

(c) A non-refundable unlicensed activity fee of \$5.00.

(3)(2) To receive Board approval, a course provider shall demonstrate to the Board that its instructors have special training, knowledge, or skill regarding the content of the

continuing education course. ~~Providers must submit to the Board the application form, as referenced in subsection 69K-14.007(19), F.A.C., together with the required fee. No continuing education provider may offer continuing education courses or grant continuing education credit hours until it has received the Board’s approval in accordance with this Rule.~~

(3) renumbered as (4) No change.

~~(5)(4)(a)~~ The continuing education provider must submit to the Board written notice of any substantial changes in the information provided in the initial request for course approval. This notification must be made within 30 days following the date the change is effective, ~~and~~

~~(b) The continuing education provider must submit to the Department electronic documents as required by Department Rule 61-6.015, F.A.C.~~

~~(6)(5)~~ A list of all currently approved continuing education providers shall be available on the ~~Department’s Board of Funeral, Cemetery, and Consumer Services’~~ website at <https://www.myfloridacfo.com/division/funeralcemetery/home> ~~accessible from: <http://www.fldfs.com> and from the Board’s office.~~

~~(7)(6)~~ The Board shall deny, suspend, or revoke the provider number and approval of any provider for any of the following acts or omissions:

(a) through (g) No change.

(h) Participating in any activity designed or intended to circumvent or evade the requirements of ~~c~~Chapter 497, F.S., or the Rules adopted by the Board.

(7) renumbered as (8) No change.

(8) renumbered as (9) No change.

(9) renumbered as (10) No change.

Rulemaking Authority 497.103, 497.147, 497.161 FS. Law Implemented 497.147 FS. History—New 4-10-94, Amended 1-25-95, 3-14-95, 7-25-95, 9-25-95, 6-24-01, 12-24-01, Formerly 61G8-17.0041, Amended ____.

69K-17.0042 Approval of Continuing Education Courses.

(1) through (2) No change.

(3) Approved subject matter includes, as appropriate courses to the scope of practice of the licensee to whom credit shall be awarded;:-

(a) Basic theory and practice of funeral directing, embalming, or direct disposal services;:-

(b) Technical subjects including mortuary sciences, skill and technique development, scientific applications, and other topics specific to the overall practice of funeral directing, embalming, or direct disposal of human remains;:-

(c) Communicable diseases including transmission, sterilization techniques, and risk education methods in practice of professional services;:-

(d) Public health and safety subjects including grief management, stress management, risk management, biohazardous and hazardous waste, and pathology; and-

(e) No change.

(4) For continuing education course approval, the continuing education provider must register and login through the FACS-DICE system located at https://facs.fldfs.com/public/pb_index.asp. The continuing education provider must submit the Application for Continuing Education Course Approval, Form DFS-N1-1761, effective 07/26, which is hereby incorporated by reference and available on the Department's website at https://facs.fldfs.com/public/pb_index.asp or <https://www.flrules.org/Gateway/reference.asp?No=Ref-19879>. Approved continuing education providers shall submit to the Board, an application for approval of each continuing education course on the form referenced in Rule 69K-14.007, F.A.C.

(5) No change.

~~(6) The application shall include the total number of continuing education hours, the course syllabus, a detailed outline or synopsis of the contents of the course, and the name and qualification of the instructors or authors.~~

~~(7) Continuing education courses which appropriately relate to the practice of embalming, funeral directing and direct disposition and which contain sufficient education content to improve the skills, competency and knowledge of the laws and rules which govern the professional duties of licensees, shall be approved.~~

Rulemaking Authority 497.103, 497.147, 497.161 FS. Law Implemented 497.147, 497.162, 497.368(1)(e), 497.369(1)(e), 497.373(1)(e), 497.374(1)(e), 497.378(1), 497.379(1), 497.602 397.602(3)(e), 497.603(2) FS. History—New 4-10-94, Amended 3-14-95, 7-25-95, 9-25-95, 10-30-01, Formerly 61G8-17.0042, Amended 3-8-12____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mary Schwantes, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Blaise Ingoglia, Chief Financial Officer
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2026

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 27, 2026

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-9.014	Prehearing Checklist
12D-9.019	Scheduling and Notice of a Hearing
12D-9.020	Exchange of Evidence
12D-9.026	Procedures for Conducting a Hearing by Electronic Media

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. 52 No. 47, March 10, 2026 issue of the Florida Administrative Register.

12D-9.014 Prehearing Checklist.

(1) The board clerk shall not allow the holding of scheduled hearings until the board legal counsel has verified that all requirements in Chapter 194, F.S., and department rules, were met as follows:

(a) through (n) No change.

(o) 1. The board has ascertained that the board has ~~provided~~ electronic or other communication equipment, to allow petitioners to appear at hearings, that is adequate and functional for clear communication among participants and for creating hearing records required by law, and that petitioners can submit and transmit evidence to the board in a format that can be processed, viewed, printed, and archived; or

2. No change.

(2) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 194.035 FS. History—New 3-30-10, Amended 9-19-17,____.

12D-9.019 Scheduling and Notice of a Hearing.

(1) through (2) No change.

(3)(a) The notice of hearing before the value adjustment board shall be in writing, and shall be delivered by regular or certified U.S. mail or personal delivery, or in the manner requested by the petitioner on Form DR-486, so that the notice shall be received by the petitioner no less than twenty-five (25) calendar days prior to the day of such scheduled appearance. The Form DR-486 series is adopted and incorporated by reference in Rule 12D-16.002, F.A.C. The notice of hearing form shall meet the requirements of this section and shall be

subject to approval by the department. The department provides Form DR-481 as a format for the form of such notice. The Value Adjustment Board – Notice of Hearing (Form DR-481), is adopted and incorporated by reference in Rule 12D-16.002, F.A.C. This form is for use in noticing in person hearings as well as hearings using electronic or other communication equipment. If a notice is sent under this rule for a hearing using electronic or other communication equipment, it is unnecessary to send a Form DR-481REM under Rule 12D-9.026, F.A.C., with the same hearing information.

(b) The notice shall include these elements:

1. through 10. No change.

11. Any information necessary to comply with federal or state disability or accessibility acts; ~~and,~~

12. Information regarding where the petitioner may obtain a copy of the uniform rules of procedure;:-

13. A checkbox that the clerk will check and that when checked signifies, when it is known at the time of sending the notice, that the hearing will be conducted using electronic or other communication equipment and states: If the hearing is in person, information for the petitioner to appear remotely at the hearing using electronic or other communication equipment if the county has not opted out as provided by law.

“Your hearing will be conducted using electronic or other communication equipment.”

“You will be attending the hearing using electronic or other communication equipment.”

14. A space in which, if the checkbox is checked, the clerk will identify the specific form of communication technology to be used and include the following: The notice shall contain the following statements:

“If this notice sets forth a communication mode using audio visual technology, you may request an in person hearing.”

“If this notice is for a telephone hearing you may request a hearing using audio visual technology or an in person hearing.”

a. A statement that sets forth all necessary access instructions, such as meeting codes, passwords, telephone numbers, call in information, and any other required details,

OR

b. The statement as follows: “The necessary access instructions, such as meeting codes, passwords, telephone numbers, call in information, and any other required details are attached”.

OR

c. The statement as follows: “The clerk will email you the information needed to attend the hearing using electronic or other communication equipment. The email message may be generated by computer software related to the communication equipment. If you do not receive this information, please contact this office at ()”

AND

d. A statement that the petitioner must upload evidence or email evidence to the designated address of the value adjustment board no later than 9:00 a.m. at least two non-holiday workdays before the hearing date;

AND

e. The designated evidence upload email address or upload weblink to the software system.

15. A checkbox which when checked signifies this county has opted out of participating in hearings conducted using electronic or other communication equipment;

16. Information on how to make a written request that the hearing be held using electronic or other communication equipment;

17. Information on requirements for written requests for such hearings;

18. Information on where to send a written request that the hearing be held using electronic or other communication equipment.

19. The notice shall also contain the following statements: “If this notice indicates that the hearing will be conducted by video conference, you may request an in person hearing.”

“If this notice indicates that the hearing will be conducted by telephone, you may request an in person hearing. You may also request to appear by video conference if such technology is available and practicable.”

(c) If the petitioner requests an in person hearing the clerk shall accommodate the petitioner for the date, time, hearing address, and room. If the notice indicates the hearing will be conducted by telephone and the petitioner requests to appear by video conference, the clerk shall accommodate the request if such technology is available and practicable. The board may maintain information about the availability of video conference hearings on its website. The clerk shall accommodate a petitioner’s request for a hearing using audio visual technology, if the prearranged default mode is in person or telephone. Requests for hearing using electronic or other communication equipment must be made as provided in Rule 12D-9.026, F.A.C.

(4) through (8) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 195.022 FS. History—New 3-30-10, Amended 9-26-11, 6-14-16, 7-1-16, 3-13-17, 9-19-17,_____.

12D-9.020 Exchange of Evidence.

(1)(a)1. At least 15 days before a petition hearing, the petitioner shall provide to the property appraiser a list of evidence to be presented at the hearing, a summary of evidence to be presented by witnesses, and copies of all documentation to be presented at the hearing. This provision does not preclude rebuttal evidence that was not specifically requested of the petitioner in writing by the property appraiser.

2. At least 15 days before a petition hearing, the property appraiser shall provide to the petitioner a list of evidence to be presented at the hearing, a summary of evidence to be presented by witnesses, and copies of all documentation to be presented at the hearing. The property appraiser's evidence list must contain the current property record card. This provision does not preclude use of rebuttal evidence by the property appraiser. If the property appraiser does not provide the information to the petitioner within the time required, the hearing shall be rescheduled to allow the petitioner additional time to review the property appraiser's evidence. The petitioner may waive rescheduling.

(b) through (c) No change.

(2) through (5) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 194.035, 195.022 FS. History—New 3-30-10, Amended 6-14-16, 4-10-18,___.

12D-9.026 Procedures for Requesting and Conducting a Hearing by Electronic Media.

(1) No change.

(2) A petitioner may request to appear at a hearing using electronic or other communication equipment by submitting a written request at least 10 calendar days before the date of the hearing.

(a) Unless the request is made on the petition by checking the appropriate box, the ~~The~~ written request must:

1. through 4. No change.

(b) through (d) No change.

(3) A hearing must be noticed by the clerk sending a Value Adjustment Board - Notice of Remote Hearing (Form DR-481REM, incorporated by reference in Rule 12D-16.002, F.A.C.), unless the hearing was noticed using Form DR-481 as described in subparagraphs 12D-9.019(3)(b)13. through 14., F.A.C. If the clerk has sent a Form DR-481 providing for the hearing to be conducted using electronic or other communication equipment, it is not necessary to send a Form DR-481REM. However, Form DR-481REM must not be used in lieu of Form DR-481.

(a) No change.

(b) The notice must:

1. through 3. No change.

4. Identify the specific form of communication technology to be used and include the following: provide instructions for access to the communication technology in the body of the notice with telephone numbers, meeting codes, passwords and other access information;

a. A statement that sets forth all necessary access instructions, such as meeting codes, passwords, telephone numbers, call in information, and any other required details,

OR

b. The statement as follows: "The necessary access instructions, such as meeting codes, passwords, telephone numbers, call in information, and any other required details are attached",

OR

c. The statement as follows: "The clerk will email you the information needed to attend the hearing using electronic or other communication equipment. The email message may be generated by computer software related to the communication equipment. If you do not receive this information, please contact this office at ()"

AND

d. A statement that the petitioner must upload evidence or email evidence to the designated address of the value adjustment board no later than 9:00 a.m. at least two non-holiday workdays before the hearing date;

AND

e. The designated evidence upload email address or upload weblink to the software system;

5. Contain the clerk's telephone number a statement that the petitioner must upload evidence or email evidence to the designated address of the value adjustment board no later than 9:00 AM the non-holiday workday before the hearing date;

6. Contain the clerk's email evidence upload email address or upload weblink to the software system;

7. Contain the clerk's or deputy's name and signature telephone number;

8. Contain the clerk's email;

9. Contain the clerk's or deputy's name and signature;

8.10. No change.

(4) ~~The board must have available the necessary equipment and procedures for using the equipment in hearings.~~

(a) ~~"Electronic or other communication equipment" means:~~

1. ~~Technology in compliance with applicable law which enables real time, two way communication using electronic means in which participants are able to see, hear, and communicate with one another; or~~

2. ~~telephone; or~~

3. ~~a combination thereof.~~

(4)(a)(b) ~~The board must maintain provide~~ The board must maintain provide electronic or other communication equipment and procedures to conduct hearings and allow petitioners to appear using the petitioner's selected hearing format. The equipment must be electronic or other communication equipment at hearings that is adequate and functional to ensure for clear communication among all participants and create the for creating hearing records required by law. The board must also ensure, and that petitioners are able to ~~can~~ submit and transmit evidence ~~to the board~~ in a format that can be received, processed, viewed, printed, and archived.

(b)(e) ~~Petitioners requesting a telephone or video conference hearing are responsible for ensuring remote~~

~~hearings must ensure~~ they have the necessary connectivity and equipment to appear and participate remotely.

(5) No change.

(6)(a) Evidence, including rebuttal evidence must be uploaded or emailed to the designated address of the value adjustment board, and received no later than 9:00 a.m. at least two non-holiday workdays ~~on the workday~~ before the hearing date. If a hearing is on Monday, then evidence must be uploaded by 9:00 a.m. on the previous Thursday ~~Friday~~.

(b) through (e) No change.

(7) No change.

(8)(a) The board must provide a physical location at which a party may appear, if requested. Such hearings must be open to the public by providing the ability for interested members of the public to choose either to join the hearing using electronic or other communication equipment to the extent practicable or to monitor the hearing at the location of the board or special magistrate. If the board or special magistrate allows a party to appear using electronic or other communication equipment, all members of the board in the hearing or the special magistrate must be physically present in the hearing room.

(b) To be open to the public using electronic or other communication equipment, proper notice must be given and interactive access by members of the public provided to the extent practicable.

1. A list of hearings must be posted on the board's website, or the clerk must provide hearing information ~~a list~~ upon request.

2. For hearings using video conference ~~audio-visual~~ technology, the login information, links and passwords must be posted on the board's website to allow public access via the Internet or the clerk must provide this hearing information on request.

~~3. For hearings using the telephone, the board must permit members of the public to request to attend and must accommodate such requests by providing call-in numbers.~~

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1) FS. Law Implemented 194.011, 194.032, 194.034, 195.035, 195.022, 195.084 FS. History—New 3-30-10, Amended _____.

Section IV Emergency Rules

NOTE: The full text of Emergency Rules that are currently in effect can be viewed by going to <https://flrules.org/Notice/emergencyRules.asp>.

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

RULE NO.: RULE TITLE:

62D-5.058 Grant Administration

The Florida Department of Environmental Protection hereby gives notice:

that on July 31, 2026, the Florida Department of Environmental Protection issued an order granting a waiver.

Petitioner's Name: City of Lake Wales, Florida – OGC Tracking No. 26-1451

Date Petition Filed: May 8, 2026

Rule No.: 62D-5.058(7)(c)3., F.A.C.

Nature of the rule for which variance or waiver is sought: Boundary survey and title opinion requirements

Date Petition Published in the Florida Administrative Register: May 21, 2026

General Basis for Agency Decision: Petitioner demonstrated substantial economic hardship, that the purpose of the statute has been achieved by other means, and that literal application of the rule would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Shauna Allen, Department of Environmental Protection, 3800 Commonwealth Blvd., Tallahassee, FL 32399-3000; telephone: (850)245-2713; email: shauna.r.allen@floridadep.gov during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-46.011 Personnel and Staffing Requirements

NOTICE IS HEREBY GIVEN that on July 30, 2026, the Department of Children and Families, received a petition for variance of subparagraph 65C-46.011(8)(a)1., Florida Administrative Code, from Aisha Rogers of A&D Caring Hearts. This rule requires executive directors of child-caring agencies to have a bachelor's degree from an accredited college or university and at least three years of experience in management or supervision.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on July 24, 2026, the Office of Financial Regulation, received a petition for Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code from Luis Fernando Fernandez Tirado. The petition seeks a Waiver of paragraph 69W-600.0024(6)(b) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or 2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE) Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 11, 2026, 1:30 p.m. to conclusion

PLACE: VIA WEBINAR:

Registration

URL:

<https://attendee.gotowebinar.com/register/3209427618644684891>

Meeting ID: 519-392-083

IN PERSON:

R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Historical Marker Council to discuss and review submitted historical marker applications.

A copy of the agenda may be obtained by contacting: Jeremy Heiker at Jeremy.Heiker@dos.fl.gov or (850)245-6371

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: Jeremy Heiker at Jeremy.Heiker@dos.fl.gov or (850)245-6371. 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: Jeremy Heiker at Jeremy.Heiker@dos.fl.gov or (850)245-6371

DEPARTMENT OF EDUCATION

Division of Blind Services

The Division of Blind Services/Bureau of Business Enterprise announces a public meeting to which all persons are invited.

DATE AND TIME: August 13, 2026, 3:00 p.m.

PLACE: Via Microsoft Teams

Join:

<https://teams.microsoft.com/meet/21043929336908?p=obWw4yS8Q1iCiY1cib>

Meeting ID: 210 439 293 369 08

Passcode: EU2Jj9YA

Dial in by phone

+1(850)583-5063, 154166993# United States, Tallahassee

Phone conference ID: 154 166 993#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to videos, podcasts and news releases for the Business Enterprise vendors.

A copy of the agenda may be obtained by contacting: Mary Ellen Harding

maryellen.harding@dbf.fldoe.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mary Ellen Harding maryellen.harding@dbf.fldoe.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: Mary Ellen Harding maryellen.harding@dbf.fldoe.org

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

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

DATE AND TIME: August 17, 2026, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Board Meeting

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Records Department (727)796-2355.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration, Beneficiary Advisory Council (BAC) announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2026, 10:00 a.m. - 12:00 noon

PLACE: Virtual: Microsoft Teams:
Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/267895692263251?p=A4knUJLyd2alRtjhda>

Meeting ID: 267 895 692 263 251

Passcode: aj25fr34

Need help? | System reference

Dial in by phone

+1(850)792-4898,,401407644# United States, Tallahassee

Find a local number

Phone conference ID: 401 407 644#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Beneficiary Advisory Council (BAC) meeting.

A copy of the agenda may be obtained by contacting: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.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: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.myflorida.com. If you are hearing or

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

For more information, you may contact: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration, Medicaid Advisory Committee (MAC) announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2026, 2:00 p.m. - 4:00 p.m.

PLACE: Virtual: Microsoft Teams
Microsoft Teams meeting

Join:

<https://teams.microsoft.com/meet/282734007107682?p=xuRiaCkKJA6utAAFX0>

Meeting ID: 282 734 007 107 682

Passcode: Kk3Ld6fk

Need help? | System reference

Dial in by phone

+1(850)792-4898,,40497211# United States, Tallahassee

Find a local number

Phone conference ID: 404 972 11#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Medicaid Advisory Committee (MAC) meeting.

A copy of the agenda may be obtained by contacting: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.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: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kissa Smith in the Medicaid Director's Office by email at MACBAC@ahca.myflorida.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: Wednesday, August 26, 2026, 9:00 a.m., ET

PLACE: <https://meet.goto.com/FL-BOMT/conference-calls>
Teleconference Phone: 1(646)749-3129; Access code: 985-532-741

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the board. Please check the Board's website at <https://floridasmassagetherapy.gov/meeting-information/> for cancellations or changes to the meeting date or time or call the Board at (850)245-4161 for more information.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/>
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: MQA.MessageTherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: MQA.MessageTherapy@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: Wednesday, December 9, 2026, 9:00 a.m., ET

PLACE: <https://meet.goto.com/FL-BOMT/conference-calls>
Teleconference Phone: 1(646)749-3129; Access code: 985-532-741

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the board. Please check the Board's website at <https://floridasmassagetherapy.gov/meeting-information/> for cancellations or changes to the meeting date or time or call the Board at (850)245-4161 for more information.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/>
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: MQA.MessageTherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: MQA.MessageTherapy@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: Tuesday, August 18, 2026, 11:30 a.m., ET
PLACE: <https://meet.goto.com/FL-BOMT/pcppublic> United States
United States:1(571)317-3116 Access Code: 423-972-773

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Reconsideration of cases for which a determination of probable cause has already been made.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/>
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: mqa.massagetherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: mqa.massagetherapy@flhealth.gov

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 18, 2026, 2:00 p.m.

PLACE: Conference Call 1(850)792-1375, Access Code: 167 342 730#

To attend via webinar, please use this link: [Click here to join the meeting](#)

Or join by entering a meeting ID on Microsoft Teams:

Meeting ID: 222 145 862 059 214

Passcode: Yo3bL74q

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Diabetes Advisory Council (DAC) Quarterly Meeting.

"This call will be recorded. By staying on the line, you are agreeing to be recorded."

A copy of the agenda may be obtained by contacting: Sarah Grant, Florida Department of Health, at (850)933-6787.

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: Sarah Grant, Florida Department of Health, at (850)933-6787. 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: Sarah Grant, Florida Department of Health, at (850)933-6787.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Department of Health, Bureau of Emergency Medical Oversight, Emergency Medical Services Section announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2026, 1:30 p.m., EDT

PLACE: Microsoft Teams:

<https://tinyurl.com/EMSAC0826DataCommittee>

Meeting ID: 231 216 455 605 889

Passcode: z8NF2Ww3

Dial in by Phone: +1(850)792-1375, 268514487# United States, Tallahassee

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Emergency Medical Services Advisory Council's Data Committee will hold the meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Shireka Davis at Shireka.Davis2@FLHealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Shireka Davis at Shireka.Davis2@FLHealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Shireka Davis at Shireka.Davis2@FLHealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: September 30, 2026, 2:00 p.m., Eastern Time

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, Tallahassee, Florida 32301. The workshop will also be available by webinar. The registration information for the webinar will be posted to the following website once available:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2026/2026-216>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice cancels and reschedules the workshop previously scheduled for August 6, 2026. This workshop will discuss Request for Applications (RFA) 2026-216 Live Local SAIL Financing for the Construction of Large-Scale Developments of Significant Regional Impact with the opportunity for the public to provide comments and suggestions.

A copy of the agenda may be obtained by contacting: Bryan Barber (850)488-4197.

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: Bryan Barber (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF COMMERCE

Division of Economic Development

The Florida Department of Commerce (FloridaCommerce) announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2026, 2:00 p.m., EDT

PLACE: This is a hybrid meeting being conducted virtually via Microsoft Teams. To attend the meeting virtually, please use the following links on August 4, 2026:

Part 1:
<https://events.gcc.teams.microsoft.com/event/825e7ca5-3d78-4307-a531-71548eba3bb5@931da019-f64e-4908-b0f6-92f46f78c512>

Part 2:
<https://events.gcc.teams.microsoft.com/event/1548e218-fd37-467e-a04f-7a31edc4b500@931da019-f64e-4908-b0f6-92f46f78c512>

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting the Florida Defense Support Commission 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: Takesha Ware, (850)717-8980, Takesha.Ware@commerce.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Collins, (850)717-8994,

Ray.Collins@commerce.fl.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Ray Collins, (850)717-8994, Ray.Collins@commerce.fl.gov.

AREA AGENCY ON AGING FOR SOUTHWEST FLORIDA
The Area Agency on Aging for Southwest Florida, Inc. announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, August 27, 2026, 4:00 p.m.
PLACE: Main Conference Room, 2830 Winkler Ave, Suite 112, Fort Myers, FL 33916

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Items related to AAASWFL business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: President at ea@aaaswfl.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: President at ea@aaaswfl.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).

For more information, you may contact: President at ea@aaaswfl.org

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center For Independent Living in Central Florida, INC announces a public meeting to which all persons are invited.

DATE AND TIME: August 5, 2026, 2:00 p.m.

PLACE: 720 North Denning Drive, Winter Park FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Development Committee Meeting

A copy of the agenda may be obtained by contacting: Josue Obando (407)961-5539

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: Josue Obando (407)961-5539. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA DEVELOPMENT FINANCE CORPORATION

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 12, 2026, 2:00 p.m., EST

PLACE: Florida Development Finance Corporation, 156 Tuskawilla Road, Suite 2340, Winter Springs, FL 32708

- OR -

Via Zoom:
<https://us06web.zoom.us/j/88052302839?pwd=VlJoHiM4rKeUkDQYtz0TWx16kZvvu4.1>

Meeting ID: 880 5230 2839

Passcode: 968671

- OR -

Via Telephone:

Dial-In Number: 1(646)558-8656

Meeting ID: 880 5230 2839

Passcode: 968671

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the following:

- Minutes: 7/1/26
- Bond Resolution No. 26-11 – Palm Beach North Athletic Foundation, Inc.
- FY25-26, Q4 – Post-Sale Analysis Reports – Traditional
- FY25-26, Q4 – Post-Sale Analysis Reports – C-PACE
- Interim Executive Director Report

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, Sr. Director, Administration, FDFC

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: Jennifer Jenkins, Sr. Director, Administration, FDFC. 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: Jennifer Jenkins, Sr. Director, Administration, FDFC.

POLK STATE COLLEGE KENNETH C. THOMPSON INSTITUTE OF PUBLIC SAFETY

The Polk State College Kenneth C. Thompson Institute of Public Safety announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2027, 2:00 p.m.

PLACE: Center for Public Safety, 1251 Jim Keene Blvd., Winter Haven FL 33880, Room CPS 207

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve minutes from 6/18/26 meeting; approvals; Old business; New business; Training Issues; Financial report.

A copy of the agenda may be obtained by contacting: John Wiertel, Training Coordinator, jwiertel@polk.edu

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: John Wiertel, Training Coordinator, (863)669-2910. 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: John Wiertel, Training Coordinator, jwiertel@polk.edu, Hans Lehman, Chairman, hans.lehman@lakelandgov.net.

HNTB

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

DATES AND TIMES: Virtual and by phone: August 11, 2026, 6:00 p.m. (Options 1 & 2); In-person: August 13, 2026, 5:30 p.m. - 7:30 p.m. (Option 3)

PLACES: Option 1: Virtually via a computer, tablet, or smartphone

Option 2: By phone in listen-only mode. Call +1(850)739-5589 and enter access code 660-937-859#.

Option 3: In-person at the Phichol Williams Community Center, 951 SW 4th St, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Project Identification Number: 452112-1

Project Description: Florida's Turnpike (SR 821) Interchange Improvements at US 1

The Florida Department of Transportation (FDOT), Florida's Turnpike Enterprise will hold a Design Public Information Meeting for the above referenced project. The Enterprise will provide several options to participate in the meeting. You may participate virtually, by telephone in listen-only mode, or in-person. The information presented at all attendance options will be the same.

Please visit www.floridasturnpike.com/sr821interchangeatus1 to register for the Design Public Information Meeting and to select your participation option. Please note that registration works best in the Google Chrome, Microsoft Edge, or Firefox web browsers. Once registered, you will receive a confirmation

email that includes instructions on how to join the public meeting online. To join the virtual meeting by phone in listen-only mode, call +1(850)739-5589 and enter access code 660-937-859#. While the virtual meeting will include a formal presentation, the in-person meeting will be conducted in an informal open house format.

Florida's Turnpike Enterprise, part of the Florida Department of Transportation (FDOT), is designing improvements for the interchange at US 1 and Florida's Turnpike (SR 821) in Miami-Dade County, Florida. Proposed enhancements include upgrades to roadway operations, improved traffic monitoring and management systems, and technology-driven solutions to support more efficient movement through this section of Florida's Turnpike.

- Widening the SR 821 southbound exit ramp and existing bridge at US 1 from one to two lanes
- Widening the SR 821 southbound exit ramp at Davis Parkway from one to two lanes
- Constructing a new bypass lane from southbound US 1 for vehicles wishing to travel westbound on Palm Drive
- Adding turn lanes at the intersection of US 1 and Palm Drive
- Intelligent Transportation Systems (ITS) improvements from the US 1 Interchange to the Campbell Drive Interchange
- Constructing a new Shared Use Path on US 1 southbound

This meeting will give interested people an opportunity to review the project design and ask questions about the proposed improvements. Displays that illustrate the proposed improvements will be available at the meeting, along with informational videos. All meeting materials will be available for review the day of the virtual meeting on the project website, www.floridasturnpike.com/sr821interchangeatus1.

For assistance registering for the Design Public Information Meeting, or for additional information, please contact the project manager (see below). People wishing to submit questions or comments may do so at the meeting or may contact the project manager. All comments received or postmarked on or before August 24, 2026, will be included in the records for the Design Public Information Meeting.

A copy of the agenda may be obtained by contacting: Latesa Turner, P.E., Project Manager (Consultant to Florida's Turnpike Enterprise). Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Latesa Turner, P.E., Project Manager. If any person requires translation services (free of charge), please also advise the project manager at least seven (7) days before the meeting. 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: Latesa Turner, P.E., Project Manager at (407)264-3822 or by email at Latesa.Turner@dot.state.fl.us

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

Florida School for the Deaf and the Blind

PUBLIC ANNOUNCEMENT FOR RFP-27-029-Double Door & Storefront Replacements

Florida School for the Deaf and the Blind (FSDB) requests proposals for the subject project and has issued a Competitive Solicitation to obtain competitive responses from qualified firms consistent with the requirements outlined in the Solicitation Document.

Selection will be made in accordance with the published Solicitation Document. Firm(s) must be properly licensed in the State of Florida at the time of submittal.

Be sure to read the entire solicitation document before contacting the Agency with questions, which must be submitted via e-mail. Only procedural questions will be answered on receipt – all other questions will only be answered according to the published timeline.

RESPONSE DUE DATE: September 3, 2026, no later than 1:45 p.m.

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should access the Solicitation Document from: Purchasing | Florida School for the Deaf & the Blind Click “View Active Competitive Solicitations” and navigate to the project folder. RESPONDENTS ARE RESPONSIBLE for checking the FSDB website for amendments and addendums. Failure to comply with any changes published to the FSDB website may be grounds for rejecting a proposal.

Primary Contact: Christine Skaggs, Purchasing Analyst - skaggsc@fsdbk12.org; Kim Whitwam, Director of Purchasing – whitwamk@fsdbk12.org.

DEPARTMENT OF TRANSPORTATION

Notice of Upcoming Public Meetings for F3Z72

DEPARTMENT OF TRANSPORTATION In accordance with F. S. 255, the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited. GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of intended awardee for project F3Z72. PROJECT DESCRIPTION: The Florida Department of Transportation, hereinafter called the Department, requires the services of a Contractor to furnish and install a new District Three Operations Center as per plans and specifications by Michael Baker International dated July 10, 2026. Project site location is 1074 HWY 90, Chipley, Florida 32428. The successful bidder will be responsible for the implementation of this project from preparation/payment of permits through completed installation. For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to

the FDOT, D3 website: <https://www.fdot.gov/contracts/d3/fco-contracts>

CHARLES PERRY PARTNERS, INC.

Advertisement of Prequalification

Charles Perry Partners, Inc. has been selected to provide Construction Management services for the North Cape Government Complex – Fleet Maintenance Facility (GMP 2) for the project located at 2200 block of NW 14th Ave, Cape Coral, FL for the City of Cape Coral. This project includes a new 61,000 square foot building along with ancillary fueling station, other site structures, and extensive on-site and off-site sitework.

Charles Perry Partners, Inc. is currently accepting subcontractor/vendor prequalification applications for the following scopes of work, including but not limited to:

MASONRY, MISC. METALS, COLD FORMED METAL TRUSSES, WATERPROOFING, ROOFING & METAL PANELS, SPRAY FOAM INSULATION, DOORS/FRAMES/HARDWARE, WINDOWS & GLAZING, OVERHEAD DOORS, DRYWALL/FRAMING, STUCCO, ACOUSTICAL CEILINGS & WALL PANELS, FLOORING, EPOXY FLOORING, PAINTING, MISC. SPECIALTIES, SIGNAGE, FOLDING GLASS PARTITIONS, ALUMINUM CANOPIES, CASEWORK, FURNITURE, RESIDENTIAL APPLIANCES, AUTOMOTIVE EQUIPMENT, LIFTS, BRIDGE CRANE, ROLLER SHADES, FIRE SUPPRESSION, PLUMBING, HVAC, ELECTRICAL, LOW VOLTAGE, ACCESS CONTROL, FENCING & GATES, LANDSCAPING & IRRIGATION.

All parties interested in bidding on this project must be prequalified for their bid to be considered. To receive a link to start the prequalification process, send an email to prequalification@cppe.com.

Bid documents will be available in August 2026.

All interested parties are encouraged to attend the non-mandatory Pre-Bid Conference on Friday, August 28, 2026 at 11:00 a.m. at the project site located at the 2200 block of NW 14th Avenue, Cape Coral, FL 33993.

To RSVP, please send an email to bids@cppe.com.

Sealed bids are due no later than 02:00 p.m., Thursday, September 10, 2026. Bids must be submitted electronically through BuildingConnected.

The City of Cape Coral and CPPI are committed to minority certified vendor participation for this project. The City of Cape Coral and CPPI reserve the right to reject any bid if considered to be in the best interest of the project.

Please contact Tiffany Watkins with any questions at tiffany.watkins@cppe.com or (352)333-9292.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraphs 120.55(1)(b)7. – 8., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, July 27, 2026, and 3:00 p.m., Friday, July 31, 2026.

Rule No.	File Date	Effective Date
5JER26-10	7/28/2026	7/31/2026
33-503.002	7/31/2026	8/20/2026
33-601.308	7/27/2026	8/16/2026
59A-12.003	7/29/2026	8/18/2026
59A-18.004	7/28/2026	8/17/2026
59A-37.004	7/28/2026	8/17/2026
61G15-19.001	7/31/2026	8/20/2026
61G15-32.002	7/31/2026	8/20/2026
62-243.500	7/31/2026	9/1/2026
64B5-14.001	7/30/2026	8/19/2026
64B5-14.0025	7/30/2026	8/19/2026
64B5-14.003	7/30/2026	8/19/2026
64B5-14.006	7/30/2026	8/19/2026
64B5-14.007	7/30/2026	8/19/2026
64B5-14.009	7/30/2026	8/19/2026
65E-5.280	7/31/2026	8/20/2026
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
14-10.0043	4/11/2025	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Wild Hogs Scooters and Motorsports LLC, Line-make SENL

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 Pasando Resources, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports LLC, as a dealership for the sale and service of motorcycles manufactured by

Zhejiang Senling Motorcycles. Co., Ltd (line-make SENL) at 1932 W Fairbanks Ave, Winter Park, (Orange County), Florida 32789, on or after September 3, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports LLC are dealer operator(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin Dr Ste C, Houston, Texas 77036.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Wild Hogs Scooters and Motorsports LLC, Line-make SNHU

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 Pasando Resources, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports LLC, as a dealership for the sale and service of motorcycles manufactured by Jiangsu Sunhou Motorcycle Co. Ltd (line-make SNHU) at 1932 W Fairbanks Ave, Winter Park, (Orange County), Florida 32789, on or after September 2, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports LLC are dealer operator(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin Dr Ste C, Houston, Texas 77036.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Wild Hogs Scooters and Motorsports LLC, line-make YIBN

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 Pasando Resources, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports LLC, as a dealership for the sale of motorcycle manufactured by Taizhou City Senlong Motorcycle Manuf. Co. Ltd.- Yiben (line-make YIBN) at 1932 W Fairbanks Ave, Winter Park, (Orange County), Florida 32789, on or after September 3, 2026.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports LLC are dealer operator(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin Dr Ste C, Houston, Texas 77036.

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 BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE OF 2026 QUOTA BEVERAGE LICENSE DRAWING ENTRY PERIOD

RULE NO.: RULE TITLE:

61A-5.0105 Selection of Applicants for Quota Alcoholic Beverage Licenses by Public Drawing

Pursuant to Rule 61A-5.0105, Florida Administrative Code, the Division of Alcoholic Beverages and Tobacco will accept Quota Beverage License Drawing Entry Forms for a period of 45 days, beginning August 17, 2026. The Quota Beverage License Drawing Entry Form, FORM DBPR ABT 6033, will be accepted from August 17, 2026, until 5:00 p.m., on September 30, 2026. For the 2026 entry period, interested entrants may file a maximum of one entry form per county for the following counties where quota alcoholic beverage licenses will be available in the next license drawing (parentheticals reference the number of licenses available in each county): Alachua (1), Brevard (3), Broward (4), Charlotte (2), Collier (1), Dade (5), Duval (3), Flagler (1), Franklin (1), Hillsborough (3), Jackson (1), Lake (3), Lee (2), Leon (1), Manatee (2), Marion (2), Okaloosa (1), Orange (3), Osceola (4), Palm Beach (2), Pasco (2), Polk (5), Santa Rosa (1), Sarasota (1), St. Johns (3), St. Lucie (1), Sumter (1), Suwannee (1), Volusia (2), Walton (1). Entry forms must be received by the Division prior to the entry deadline at 5:00 p.m. on September 30, 2026. The deadline for the entry period is strictly applied to all entry forms.

The FORM DBPR ABT 6033 - Quota Beverage License Drawing Entry Form will be available on August 17, 2026, upon opening of the entry period. Interested entrants may enter online by visiting the Department of Business and Professional Regulation's website:

<https://www2.myfloridalicense.com/online-services/>, or obtain the entry form through any district office of the Division or by visiting the Division's website: <https://www2.myfloridalicense.com/alcoholic-beverages-and-tobacco/>. Each filing of the FORM DBPR ABT 6033 must be accompanied by the entry fee of \$100 per entry. Payments of the entry fee will be accepted by check or money order, payable to the Division of Alcoholic Beverages and Tobacco, for entries by mail, or by credit card for online entries. Interested entrants may mail or hand deliver the completed entry form, accompanied by the required entry fee, to: Division of Alcoholic Beverages and Tobacco, Attn: Quota Beverage License Drawing, 2601 Blair Stone Road, Tallahassee, Florida 32399-1019.

For additional information regarding the 2026 quota beverage license drawing entry period, contact the Division by phone at (850)488-8284 or in writing at Division of Alcoholic Beverages and Tobacco, Attn: Quota Beverage License Drawing, 2601 Blair Stone Road, Tallahassee, FL 32399-1019.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN) City of Bowling Green

The Florida Department of Environmental Protection (DEP) has determined that the City of Bowling Green's project, located in Hardee County, consisting of replacing deteriorated and obsolete water mains made of ductile iron and galvanized pipes and installing new isolation valves throughout the distribution system to improve overall system performance, operational reliability, and long-term sustainability may generate controversy over potential environmental effects. The total estimated construction cost is \$7,690,800. Therefore, the previously posted notice, published on July 24, 2026, is hereby rescinded. The Department is further evaluating the potential environmental impacts associated with the proposed project before making a new environmental determination. Further information can be obtained by writing to: Raihan Uddin, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399-3000, or calling (850)245-2912 or emailing Raihan.Uddin@FloridaDEP.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

Notice of Completed Rule Review

RULE NOS.:RULE TITLES:

62B-26.001 Description of the Walton County Coastal Construction Control Line

62B-26.002 Description of the Escambia County Coastal Construction Control Line

62B-26.003 Description of the Okaloosa County Coastal Construction Control Line

62B-26.004 Description of the Duval County Coastal Construction Control Line
 62B-26.005 Description of the Nassau County Coastal Construction Control Line
 62B-26.006 Description of the Charlotte County Coastal Construction Control Line
 62B-26.007 Description of the Lee County Coastal Construction Control Line
 62B-26.008 Description of the Manatee County Coastal Construction Control Line
 62B-26.009 Description of the Sarasota County Coastal Construction Control Line
 62B-26.010 Description of the Palm Beach County Coastal Construction Control Line
 62B-26.011 Description of the Pinellas County Coastal Construction Control Line
 62B-26.012 Description of the Dade County Coastal Construction Control Line
 62B-26.013 Description of the Broward County Coastal Construction Control Line
 62B-26.014 Description of the Franklin County Coastal Construction Control Line
 62B-26.015 Description of the Martin County Coastal Construction Control Line
 62B-26.016 Description of the Gulf County Coastal Construction Control Line
 62B-26.017 Description of the Brevard County Coastal Construction Control Line
 62B-26.018 Description of the Indian River County Coastal Construction Control Line
 62B-26.019 Description of the St. Johns County Coastal Construction Control Line
 62B-26.020 Description of the Flagler County Coastal Construction Control Line
 62B-26.021 Description of the St. Lucie County Coastal Construction Control Line
 62B-26.022 Description of the Collier County Coastal Construction Control Line
 62B-26.023 Description of the Volusia County Coastal Construction Control Line
 62B-26.024 Description of the Bay County Coastal Construction Control Line

Notice is hereby given that on July 30, 2026, the above rules completed the rule review process pursuant to section 120.5435, F.S.

The following rules were filed with technical changes:

62B-26.001 Description of the Walton County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 8-12-75, Amended 12-29-82, Formerly 16B-26.01, 16B-26.001, Amended 8-25-09, Reviewed.

62B-26.002 Description of the Escambia County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 8-12-75, Formerly 16B-26.02, Amended 6-19-86, Formerly 16B-26.002, Reviewed.

62B-26.003 Description of the Okaloosa County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 10-25-76, Amended 1-25-79, Formerly 16B-26.03, Amended 1-8-92, Formerly 16B-26.003, Reviewed.

62B-26.004 Description of the Duval County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 2-24-76, Formerly 16B-26.04, Amended 8-12-92, Formerly 16B-26.004, Reviewed.

62B-26.005 Description of the Nassau County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 4-15-76, Amended 4-6-83, Formerly 16B-26.05, 16B-26.005, Reviewed.

62B-26.006 Description of the Charlotte County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 2-14-77, Amended 4-28-78, 1-29-85, Formerly 16B-26.06, 16B-26.006, Reviewed.

62B-26.007 Description of the Lee County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 9-28-77, Formerly 16B-26.07, Amended 5-30-91, Formerly 16B-26.007, Reviewed.

62B-26.008 Description of the Manatee County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 9-28-77, Formerly 16B-26.08, Amended 8-26-87, Formerly 16B-26.008, Reviewed.

62B-26.009 Description of the Sarasota County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 9-19-78, Formerly 16B-26.09, Amended 1-26-89, Formerly 16B-26.009, Reviewed.

62B-26.010 Description of the Palm Beach County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 1-10-79, Formerly 16B-26.10, 16B-26.010, Amended 8-22-97, Reviewed.

62B-26.011 Description of the Pinellas County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~161.053, 370.021~~ FS. Law Implemented 161.053, ~~370.021(4)~~ FS. History—New 1-10-79, Formerly 16B-26.11, 16B-26.011, Amended 12-31-01, Reviewed.

62B-26.012 Description of the Dade County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 2-9-82, Formerly 16B-26.12, 16B-26.012, Reviewed.

62B-26.013 Description of the Broward County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 11-17-81, Formerly 16B-26.13, 16B-26.013, Reviewed.

62B-26.014 Description of the Franklin County Coastal Construction Control Line.

No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 4-30-84, Formerly 16B-26.14, 16B-26.014, Amended 5-15-09, Reviewed.

62B-26.015 Description of the Martin County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 7-9-85, Formerly 16B-26.15, 16B-26.015, Reviewed.

62B-26.016 Description of the Gulf County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 2-25-86, Formerly 16B-26.016, Amended 1-21-10, Reviewed.

62B-26.017 Description of the Brevard County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 12-4-86, Formerly 16B-26.017, Reviewed.

62B-26.018 Description of the Indian River County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 3-5-87, Formerly 16B-26.018, Reviewed.

62B-26.019 Description of the St. Johns County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 1-28-88, Formerly 16B-26.019, Reviewed.

62B-26.020 Description of the Flagler County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 5-4-88, Formerly 16B-26.020, Reviewed.

62B-26.021 Description of the St. Lucie County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 9-15-88, Formerly 16B-26.021, Reviewed.

62B-26.022 Description of the Collier County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 6-29-89, Formerly 16B-26.022, Reviewed.

62B-26.023 Description of the Volusia County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 1-24-91, Formerly 16B-26.023, Reviewed.

62B-26.024 Description of the Bay County Coastal Construction Control Line.

(1) through (3) No change.

Rulemaking Authority 161.053(2), 161.053(20) ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 2-7-97, Reviewed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

Request for Written Comments on Biological Status

RULE NO.: RULE TITLE:

68A-27.0012 Procedures for Listing and Removing Species from Florida's Endangered and Threatened Species List

The Florida Fish and Wildlife Conservation Commission has initiated a species evaluation request to determine if the Wood Stork (*Mycteria americana*) should be listed as state-designated Threatened species pursuant to subsection 68A-27.0012(2), Florida Administrative Code (F.A.C.). The Commission requests written information and data on the biological status of this species pursuant to sub subparagraph 68A-27.0012(2)(c)2.b., F.A.C. The Commission is specifically requesting information on: population size and trends; distribution and range; threats to the species; published population viability models; and specific aspects of the species' life history that may influence the status of the species. In accordance with subparagraph 68A-27.0012(2)(d)2., F.A.C., information on the management needs and the socio/economic impacts of the listing will be sought at a future date, in preparation for the drafting of the species-specific action plan for inclusion into the Imperiled Species Management Plan. Information and data should be sent to: Imperiled@myfwc.com or Natalie Montero-McAllister, Florida Fish and Wildlife Conservation Commission, 1875 Orange Ave East (Mail Code: 2A), Tallahassee, FL 32311. Responses will be accepted until 5:00 p.m., Saturday, September 19, 2026.

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.
