

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

5J-7.004 Registration

PURPOSE AND EFFECT: The purpose of this rulemaking is to add and amend incorporated department forms.

SUBJECT AREA TO BE ADDRESSED: Add new form and update license applications.

RULEMAKING AUTHORITY: 496.424 FS.

LAW IMPLEMENTED: 496.405, 496.406, 496.4071, 496.409, 496.410, 496.426 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Evans, Chief, Bureau of Compliance, 2005 Apalachee Parkway, Tallahassee, Florida 32399, phone (850)410-3848.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-9.006 Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning approval of continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Approval of Continuing Education Courses

RULEMAKING AUTHORITY: 489.507(3), 489.517(3) FS.

LAW IMPLEMENTED: 489.517(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF

THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0751 or by email at Ruthanne.Christie@myfloridalicense.com.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.: RULE TITLES:

61J1-4.001 Education

61J1-4.003 Continuing Education

61J1-4.008 Continuing Education for School Instructors

PURPOSE AND EFFECT: The Board proposes the rule amendments to updated requirements for education, continuing education, and continuing education for school instructors.

SUBJECT AREA TO BE ADDRESSED: Education; Continuing Education; Continuing Education for School Instructors.

RULEMAKING AUTHORITY: 475.613(2), 475.614, 471.617 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.618, 475.628 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison McDonald, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801.

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-3.003 Examination for Licensure

PURPOSE AND EFFECT: Extending the time that Clinical Social Workers are eligible to take the licensure exam.

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure.

RULEMAKING AUTHORITY: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-5.001 Disciplinary Guidelines

PURPOSE AND EFFECT: Eliminate duplicate guidelines, add 2 new guidelines required by legislation enacted in 2021.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-4.003 Standards of Practice; Discipline

PURPOSE AND EFFECT: The proposed amendments adjust the minimum and maximum disciplinary guidelines to clarify to licensees the ranges of discipline that can be expected if a violation occurs.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments make changes to the minimum and maximum ranges of discipline that Occupational Therapists and Occupational Therapy Assistants may expect if a violation occurs.

RULEMAKING AUTHORITY: 456.079, 468.204 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.217 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.044 Pupil Attendance Records

PURPOSE AND EFFECT: The amendment provides criteria to avoid learning loss and consider a student in attendance, when under a “stay-home” directive due to COVID-19. Emergency Rule 6AER21-01 was adopted on August 6, 2021, and is in effect for 90 days. This rulemaking would make the language effective for the 2021-2022 school year via an amendment to 6A-1.044.

SUMMARY: The amendment provides that an asymptomatic student who is under a “stay-home” directive due to COVID-19 contact tracing protocols may be considered in attendance up to 10 days if certain criteria is met.

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 upon the nature of the changes, this proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of the rule changes.

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: 1001.02(1), 1003.23, F.S.

LAW IMPLEMENTED: 1003.23, F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacob Oliva, Chancellor, Division of Public Schools, Jacob.Oliva@fldoe.org, (850)245-0475.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.044 Pupil Attendance Records.

(1) through (5) No change.

(6) Pupil Attendance Records for COVID-19. Where an asymptomatic student is under a quarantine order or is not physically present in school due to contact with, or the asymptomatic contraction of, COVID-19, the student shall be considered under a stay-home directive due to contact tracing protocols. For the 2021-2022 school year, a student under a stay-home directive may only be considered in attendance for up to ten (10) days if the following criteria are met:

(a) The district has adopted procedures to continue the education of the student during the stay-home directive;

(b) These procedures rely upon continuing the student's access to assignments and curriculum the student would be receiving were the student was physically present in school; and

(c) Instructional personnel or administrative personnel, as defined in Section 1012.01, F.S., must be available to assist the student with assignments and curriculum during the stay-home directive.

(6) through (12) renumbered (7) through (13).

Rulemaking Authority 1001.02(1), 1003.23 FS. Law Implemented 1003.23 FS. History--New 2-20-71, Amended 9-17-71, 10-18-71, 8-19-72, 11-18-72, Repromulgated 12-5-74, Formerly 6A-1.44, Amended 9-16-87, 1-11-88, 7-5-89, 10-3-91, 11-26-02, 2-25-09.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jacob Oliva, Chancellor, Division of Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.0451 Florida Education Finance Program Student Membership Surveys

PURPOSE AND EFFECT: To incorporate by reference the full-time equivalent (FTE) student membership reporting instructions publication, "Full-time Equivalent (FTE) General Instructions 2021-22," including an appendix with eligibility and reporting requirements for student transportation funding, for fiscal year 2021-22.

SUMMARY: This amendment incorporates "FTE General Instructions, 2021-22," which supersedes the 2020-21 publication.

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 past agency experience with updating instructions for FTE reporting for school districts, the adverse impact of regulatory cost, if any, does not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. and will not 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: 1001.02(1), (2)(n), 1011.60(1), 1011.62(1), 1011.68, F.S.

LAW IMPLEMENTED: 1011.62(1), 1011.68, F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0451 Florida Education Finance Program Student Membership Surveys.

(1) The Commissioner shall prescribe the methods for completing and reporting full-time equivalent (FTE) student membership surveys and transported student membership surveys in each school district for the Florida Education Finance Program (FEFP) in the publication titled "Full-time Equivalent (FTE) General Instructions, 2021-22 2020-21," (<http://www.flrules.org/Gateway/reference.asp?No=Ref-12213>), which is hereby incorporated by reference in this rule. The instructions may be obtained from the Bureau of School Business Services, Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(2) through (7) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1011.60(1), 1011.62(1), 1011.68 FS. Law Implemented 1011.62(1), 1011.68 FS. History—New 4-19-74, Amended 10-31-74, Repromulgated 12-5-74, Amended 6-1-75, 1-29-76, 4-12-78, 8-2-79, 2-4-81, 7-28-81, 4-27-82, 7-13-83, 7-10-85, Formerly 6A-1.451, Amended 3-12-86, 9-30-87, 10-31-88, 12-5-90, 10-26-94, 12-15-98, 3-24-08, 5-3-10, 4-22-14, 12-23-14, 6-23-16, 6-20-17, 9-19-17, 9-18-18, 12-22-19, 10-27-20.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Eggers, Assistant Deputy Commissioner, Florida Department of Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 13, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0951 The Hope Scholarship Program

PURPOSE AND EFFECT: To incorporate changes made by Emergency Rule 6AER21-02 to the Hope Scholarship Program. The effect is to include COVID-19 Harassment as a qualifying incident for a Hope Scholarship.

SUMMARY: The Rule amendment will include COVID-19 Harassment as a qualifying incident for a student to receive a Hope Scholarship.

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 adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. and will not 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: 1001.02(2)(n), 1002.40(16), F.S.

LAW IMPLEMENTED: 1002.40, 1008.385, F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Dakeyan Graham, Executive Director, Office of Independent Education & Parental Choice, Dakeyan.Graham@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0951 The Hope Scholarship Program.

(1) through (2) No change.

(3) Parent notification requirements.

(a) Pursuant to the requirements of Section 1002.40(6), F.S., a school district must timely notify a parent of the Hope Scholarship program and provide the parent a completed Hope

Scholarship Notification Form (Form IEPC-HS1), available on the Department's website, www.floridaschoolchoice.org. Form IEPC-HS1

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-12106>) is hereby incorporated by reference, effective November 2021 ~~August 2020~~.

(b) A school district must include the reported incident type, location and time/date of reported incident on Form IEPC-HS1.

(c) Regardless of whether substantiated or not, the types of incidents that qualify a kindergarten through grade 12 public school student for a Hope Scholarship are aggravated battery, harassment, hazing, bullying, kidnapping, physical attack, robbery, sexual assault, sexual battery, sexual harassment, sexual offenses-other, threat or intimidation and fighting, as defined in Rule 6A-1.0017, School Environmental Safety Incident (SESIR) and COVID-19 harassment. COVID-19 harassment means any threatening, discriminatory, insulting, or dehumanizing verbal, written or physical conduct an individual student suffers in relation to, or as a result of, school district protocols for COVID-19, including masking requirements, the separation or isolation of students, or COVID-19 testing requirements, that have the effect of substantially interfering with a student's educational performance, opportunities or benefits. Eligibility under COVID-19 harassment will extend through the 2021-22 school year.

(4) through (9) No change.

Rulemaking Authority 1001.02(2)(n), 1002.40(16) FS. Law Implemented 1002.40, 1008.385 F.S. History—New 8-21-18, Amended 8-18-20.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Dakeyan Graham, Executive Director, Office of Independent Education & Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2021

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.03315 Private School Scholarship Compliance

PURPOSE AND EFFECT: To implement updates from HB-7045 and HB-131 from the 2021 Legislative Session, including additional compliance requirements and updating statutory references in the incorporated form

SUMMARY: The last modification to the Scholarship Compliance Form (IEPC SCF-1) took effect July 2018. In 2021,

the Florida Legislature passed legislation modifying both the state scholarship programs and scholarship program compliance. Currently, the Scholarship Compliance Form (IEPC SCF-1) contains references to programs that have been repealed and does not include provisions regarding requirements for educational support employees and private school employment screening.

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 adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S. and will not 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: 1001.02(1), (2)(n), 1002.421, F.S.

LAW IMPLEMENTED: 1002.421, F.S.

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

DATE AND TIME: October 20, 2021, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Sierra Ballroom A & B, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Dakeyan Graham, Executive Director, Office of Independent Education and Parental Choice, Dakeyan.Graham@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03315 Private School Scholarship Compliance.

Form IEPC SCF-1, Scholarship Program Compliance Form for Private School Participants in State Scholarship Programs (<http://www.flrules.org/Gateway/reference.asp?No=Ref-09624>), hereinafter Scholarship Compliance Form, is hereby incorporated by reference to become a part of this rule effective November 2021 ~~August 2018~~.

(1) through (2) No change.

(3) New schools.

(a) New schools, as defined in this rule, must submit the

following documentation to the Department to establish eligibility for participation in the scholarship programs.

1. through 8. No change.

9. School policies establishing standards of ethical conduct for instructional personnel, educational support employees, and school administrators.

10. School fee schedule, if applicable.

(b) Upon review and approval of the documentation ~~identified~~ ~~identified~~ in paragraph (3)(a) of this rule, the Department will schedule and conduct a site visit at the school's physical location. Beginning in the 2019-2020 school year, a private school is ineligible to receive scholarship payments until a satisfactory site visit has been conducted by the Department.

(c) No change.

(4) through (7) No change.

Rulemaking Authority 1001.02, 1002.385, 1002.39, 1002.395, 1002.40, 1002.411, 1002.42, 1002.421 FS. Law Implemented 1002.385, 1002.39, 1002.395, 1002.40, 1002.421, 1002.42, 1002.421, 1003.22, 1003.23 FS. History—New 10-13-04, Amended 9-20-05, 1-18-07, 1-5-09, 10-25-10, 2-9-16, 8-21-18.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Dakeyan Graham, Executive Director, Office of Independent Education and Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 20, 2021

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:

12D-16.002 Index to Forms

PURPOSE AND EFFECT: The proposed amendments to Rule 12D-16.002, F.A.C., are necessary to incorporate, by reference, amended Forms DR-490PORT, DR-501, DR-501CC, DR-501DV, DR-501RVSH, DR-504, DR-504CS, DR-504HA, DR-504S, and new Forms DR 504AFH, DR 504ED, and DR 504W. The proposed amendments to Forms DR-490PORT, Notice of Denial of Transfer of Homestead Assessment Difference, DR-501, Original Application for Homestead and Related Tax Exemptions and DR-501RVSH, Certificate for Transfer of Homestead Assessment Difference, will extend the timeframe from two to three years for a property owner to transfer the accrued benefit from certain assessment limitations on homestead property, as provided in subsection 193.155(8), F.S., amended by Chapter 2020-175, L.O.F.

The proposed amendments to Forms DR-501 and DR-501DV, Application and Return for Homestead Tax Discount, Veterans Age 65 and Older with a Combat-Related Disability and Surviving Spouse, will provide for the surviving spouse to continue to receive the ad valorem tax discount granted to the veteran after his or her death, as provided by subsection 196.082(3), F.S., amended by Chapter 2020-179, L.O.F. Additional proposed amendments to Form DR-501DV will remove obsolete provisions regarding the residency of the veteran when entering military service and outdated or unnecessary statutory citations.

Additional proposed amendments to Form DR-501 will provide sections for a veteran or surviving spouse of a veteran to apply for an exemption and be made aware they may qualify for a prorated refund as a result of receiving the exemption, as provided by subsection 196.081(1)(b), F.S., amended by Chapter 2020-140 L.O.F.; move the sections on page 2 for the first responder who is totally and permanently disabled or his or her spouse to apply for an exemption; relocate information for the applicant to contact the property appraiser for questions about an exemption to under the signature line; move Parcel ID space to before "Legal description;" remove language about the exemption being "\$25,000 to \$50,000;" and add "Instrument number" space after Book/Page/Date.

The purpose of the proposed amendments to Form DR-504, Ad Valorem Tax Exemption Application and Return, is to provide clarification to taxpayers and property appraisers on documentation required to apply for each type of exemption. With the amendment to Form DR-504, the Department is creating three new forms for specific ad valorem exemptions: Form DR-504AFH, Ad Valorem Tax Exemption Application and Return for Multifamily Project and Affordable Housing Property; Form DR-504ED, Ad Valorem Tax Exemption Application and Return for Educational Property; and Form DR-504W, Ad Valorem Tax Exemption Application and Return for Not-for-Profit Sewer and Water Company and Not-for-Profit Water and Wastewater Systems. The simplified applications clarify the filing process for taxpayers. Form DR-504AFH will reflect section 196.1978(2), F.S., change from a multifamily project discount to an exemption.

The purpose of the proposed amendments to Forms DR-501CC, Ad Valorem Tax Exemption Application and Return for Proprietary Continuing Care Facility, DR-504CS, Ad Valorem Tax Exemption Application and Return for Charter School Facilities, DR-504HA, Ad Valorem Tax Exemption Application and Return for Nonprofit Homes for the Aged, and DR-504S, Individual Affidavit for Ad Valorem Tax Exemption - Homes for the Aged, is to remove the notarization requirement since notarization is not specifically required by Florida law. Additional proposed amendments include updating the application titles, statute references, and clarify questions and

instructions. When in effect, the amendments will reduce taxpayer burden by eliminating the requirement for forms to be notarized, since notarization is not specifically required by Florida law.

SUMMARY: The proposed amendments to Rule 12D-16.002, F.A.C., incorporate, by reference, amended Forms DR-490PORT, DR-501, DR-501CC, DR-501DV, DR-501RVSH, DR-504, DR-504CS, DR-504HA and DR-504S; and new Forms DR-504AFH, DR-504ED, DR-504W. Affected parties will have updated forms available that comply with current law.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 195.027(1) FS.

LAW IMPLEMENTED: 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.081, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.318, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 218.12, 218.125, 218.131, 218.66, 218.67 FS.

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

DATE AND TIME: October 15, 2021, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building 2, Room 1220, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mike Cotton at (850)617-8870. 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: Mike Cotton, Property Tax Oversight Program, telephone (850)617-8870 or email DORPTO@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms adopted by the Department of Revenue. A copy of these forms may be obtained from the Department's website at <http://floridarevenue.com/property/>, or by writing to: Property Tax Oversight Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and incorporates by reference in this rule, the following forms and instructions:

- | Form Numb | Form Title | Effect ive Date |
|----------------------|---|--------------------|
| (2) Throu gh (30)(a) | No change. | |
| (b) DR-490PO RT | Notice of Denial of Transfer of Homestead Assessment Difference (r. <u>xx/xx 11/12</u>) | <u>xx/xx 3/19</u> |
| | https://www.flrules.org/Gateway/reference.asp?No=Ref-____ | |
| (31) Throu gh (38) | No change. | |
| (39) DR- (a) 501 | Original Application for Homestead and Related Tax Exemptions (r. <u>xx/xx</u>) | <u>xx/xx 09/18</u> |
| (b) DR- 501A | No Change. | |
| (c) DR- 501CC | Ad Valorem Tax Exemption Application and Return for Proprietary Continuing Care Facility (r. <u>xx/xx 11/12</u>) | <u>xx/xx 01/19</u> |
| | https://www.flrules.org/Gateway/reference.asp?No=Ref-____ | |
| (d) DR- 501D | Application and Return for Homestead Tax Discount, Veterans Age 65 and Older with a | <u>xx/xx 11/12</u> |

- V Combat-Related Disability and Surviving Spouse
(r. ~~xx/xx~~ n. 11/12)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____01795
- (e) Throu No change.
gh (f)
- (g) DR- Certificate for Transfer of Homestead~~xx/xx~~
501RV Assessment Difference ~~11/12~~
SH (r. ~~xx/xx~~ 11/12)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____01798
- (39) Throu No change.
(h) gh (40)
- (41) DR- Ad Valorem Tax Exemption Application~~xx/xx~~
(a) 504 and Return for - Charitable, Religious, Scientific, Literary Organizations, Hospitals, Nursing Homes, and Homes for Special Services (r. ~~xx/xx~~ 1/18)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____09023
- (b) DR- Ad Valorem Tax Exemption Application~~xx/xx~~
504AF and Return for Multifamily Project and H Affordable Housing Property (n. ~~xx/xx~~)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____
- (c) ~~(b)~~ DR- Ad Valorem Tax Exemption Application~~xx/xx~~
) 504CS and Return for - Charter School Facilities (r. ~~1/01~~ ~~xx/xx~~ n. 12/00)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____
- (d) DR- Ad Valorem Tax Exemption Application~~xx/xx~~
504ED and Return for Educational Property (n. ~~xx/xx~~)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____
- (e) ~~(c)~~ DR- Ad Valorem Tax Exemption Application~~xx/xx~~
) 504H and Return for - Nonprofit Homes for the ~~12/01~~
A Aged (r. ~~xx/xx~~ n. 11/01)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____
- (f) ~~(d)~~ DR- Individual Affidavit for Ad Valorem Tax~~xx/xx~~
) 504S Exemption-Homes for the Aged (r. ~~xx/xx~~ 11/12)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____01802
- (g) DR- Ad Valorem Tax Exemption Application~~xx/xx~~
504W and Return for Not-for-Profit Sewer and

Water Company and Not-for-Profit Water and Wastewater Systems (n. ~~xx/xx~~)
https://www.flrules.org/Gateway/reference.asp?No=Ref-____

(42) Throu No change.
gh (61)

Rulemaking Authority 195.027(1) FS. Law Implemented 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.318, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 218.12, 218.125, 218.131, 218.66, 218.67 FS. History—New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07, 3-30-10, 11-1-12, 9-10-15, 4-5-16, 6-14-16, 1-9-17, 9-19-17, 1-17-18, 4-10-18, 9-17-18, 7-9-19, 12-7-20, ~~xx-xx-xx~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Cotton

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/21/21

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 23, 2020.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-9.0015 Application for Examination and Licensure
PURPOSE AND EFFECT: To modify the Optician Application for Examination incorporated in the rule

SUMMARY: Modifications to Optician Application for Examination

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013, 456.017, 456.072, 484.005, 484.007 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.0635, 484.007 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: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.0015 Application for Examination and Licensure.

(1) Any person seeking licensure as an optician shall submit to the Board a completed application to take the examination on Form DH-MQA 1065, Optician Application for Examination, (revised 8/2021 ~~6/2020~~), hereby adopted and incorporated by reference, which can be obtained from the Board of Opticianry's website at <http://www.floridaopticianry.gov> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-12738>. The application shall be accompanied with the application fee specified in Rule 64B12-11.002, F.A.C., which is non-refundable.

(2) through (4) No Change.

Rulemaking Authority 456.013, 456.017, 456.072, 484.005, 484.007 FS. Law Implemented 456.013, 456.017, 456.0635, 484.007 FS. History—New 3-30-89, Amended 3-29-92, 2-18-93, Formerly 21P-9.0015, Amended 5-2-94, Formerly 61G13-9.0015, 59U-9.0015, Amended 1-4-98, 11-28-02, 8-28-05, 5-25-09, 5-19-10, 11-29-12, 11-29-16, 2-12-19, 12-10-19, 3-16-21,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 10, 2021

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-15.004 Provider Approval and Renewal

PURPOSE AND EFFECT: To clarify the criteria for continuing education programs or courses.

SUMMARY: Clarification of criteria for continuing education programs or courses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 484.008(3) 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: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-15.004 Provider Approval and Renewal.

(1) ~~The Board approves those courses~~ Courses sponsored by a college or university that is accredited by an accrediting agency approved by the U.S. Department of Education, or the Council on Post-Secondary Education, shall be reviewed for approval by the Board. Attendance by the licensee must be properly certified by the program provider as set forth in subsection 64B12-15.003(7), F.A.C.

(2) Any provider seeking approved provider status shall:

(a) Complete and submit an application ~~form~~ to the Board. The application must be received by the Board at least 90 days prior to the date upon which the applicant seeks approval.

(b) No Change.

(3) No Change.

(4) All Pprograms or courses to be presented by an approved provider must meet the criteria of the Board, as set forth in Rule 64B12-15.003, F.A.C., and must be formally approved by the Board prior to the program being offered for continuing education credit.

(5) The Board retains the right and authority to audit and/or monitor programs given by any provider. Monitoring of programs may be without notice to the provider. ~~The m~~Monitor shall ~~file a written report with the Committee on Continuing Education~~ be appointed by the Board chair and a written report will be submitted to the continuing education committee upon conclusion. The Board shall use the reports when evaluating the program for subsequent renewal approval. The Board shall also disapprove any and all credit for the program if there is a failure to meet the criteria of Rules 64B12-15.003 and 64B12-15.004, F.A.C.

(6) Any person, ~~monitor, or board member~~ attending a continuing education program who believes that the approved provider is not in compliance with Chapter 484, F.S., any rule of the Board or Department, or pertinent statutory provisions may file a complaint with the Department for action against the provider ~~and/or the responsible Florida licensed optician pursuant to Section 456.073, F.S.~~

(7) No Change.

Rulemaking Authority 484.005, 484.008(3) FS. Law Implemented 484.008(3) FS. History—New 10-12-80, Formerly 21P-15.04, Amended 3-5-87, 1-6-88, 3-30-89, 5-2-89, 6-11-92, Formerly 21P-15.004, Amended 9-14-93, Formerly 61G13-15.004, Amended 4-18-96, 7-10-97, Formerly 59U-15.004, Amended 8-6-97, 12-31-00, 9-4-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 10, 2021

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-16.004 Termination of Apprenticeship

PURPOSE AND EFFECT: To clarify the criteria for an apprentice terminating an apprenticeship.

SUMMARY: Clarification of criteria for an apprentice terminating an apprenticeship.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 484.005, 484.007(1) FS.

LAW IMPLEMENTED: 484.007(1)(d)4. 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: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.004 Termination of Apprenticeship.

(1) If an apprentice terminates apprenticeship with a sponsor upon completion of the program hours, or the sponsor is no longer providing training to an apprentice, the apprentice shall submit to the Department within 30 days from the date of the termination a the completed Apprenticeship Sponsor ~~Attestation~~ Form DH-MQA 1063, (revised 8/2021), ~~as set forth in subsection 64B12-16.003(2), F.A.C.~~

(2) No Change.

Rulemaking Authority 484.005, 484.007(1) FS. Law Implemented 484.007(1)(d)4. FS. History—New 10-12-80, Formerly 21P-16.04, Amended 3-5-87, 3-30-89, Formerly 21P-16.004, 61G13-16.004, Amended 7-10-97, Formerly 59U-16.004, Amended 6-25-02, 2-28-19,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 10, 2021

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12D-8.0065 Transfer of Homestead Assessment
Difference; "Portability"; Sworn Statement
Required; Denials; Late Applications
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 185, September 23, 2021 issue of the Florida Administrative Register.

The following information should read:

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: October 15, 2021, 10:00 a.m.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.: RULE TITLES:
40B-1.703 Procedures for Consideration of Permit
Applications
40B-1.704 Bond
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 179, September 15, 2021 issue of the Florida Administrative Register.

40B-1.703 Procedures for Consideration of Permit Applications.

(1) through (3) no change.

Rulemaking Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, ~~120.59~~, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, 1-29-01, 12-10-07, 10-25-09, 3-24-14, 4-8-15, [DATE].

40B-1.704 Bond.

(1) no change.

(2) Applicants for environmental resource permits under chapters 40B-4 and 40B-400, Florida Administrative Code (F.A.C.), shall furnish a bond or other form of surety for certification of completion of construction as required by paragraph 40B-4.1140(2)(c), F.A.C. ~~paragraphs 40B-4.1140(2)(c) and subsection 40B-400.091(2), F.A.C.~~ The forms of surety acceptable to the District include but are not limited to, cash deposit, letter of credit, and performance bond. Bonds and other forms of surety shall be in the following amounts: project area less than one acre, \$1,000; project area less than 10 acres, \$2,000; project area less than 40 acres, \$3,000; project area less than 100 acres, \$4,000; project area less than 200 acres, \$5,000; project area greater than or equal to 200 acres, \$10,000. The District shall release the bond or other form of surety, without interest, upon final acceptance of certification of completion of construction and transfer of operation and maintenance to an entity approved by the District as required by subsection rule 40B-400.091(2), F.A.C.

(3) through (4) no change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.085, 373.103, 373.219, 373.413, 373.414, 373.416 FS. History—New 9-15-81, Amended 1-10-10, [DATE].

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:
61G10-14.003 Disciplinary Guidelines; Range of Penalties;
Aggravating and Mitigating Circumstances
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. 47 No. 155, August 11, 2021 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and by a discussion and subsequent vote by the Board at the telephonic

public meeting held on August 31, 2021. The rule shall now read as follows:

61G10-14.003 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) This rule lists the range of penalties to be imposed on licensees who violate the provisions of Chapters 455 and 481, Part II, Florida Statutes, and associated rules. The violation is identified by the statutory or rule citation and, in most cases, a summary of the statute or rule. The actual statute or rule shall be consulted for the full text and range of prohibited conduct. The Board shall impose ~~one or more~~ penalties from ~~among~~ the penalty ranges provided for each first violation or subsequent violation, whichever applies.

(2) through (3) No change.

(4) Penalties

VIOLATION	PENALTY RANGE	
	MINIMUM – Includes one or any combination of the listed penalties.	MAXIMUM – Includes one or any combination of the listed penalties.
(a) Fraud in or related to the practice of the licensee's profession. 455.227(1)(a), F.S.		
First Offense	<u>From</u> Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$3,000	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation <u>and</u> fine up to \$5,000
(b) Fraud, negligence, incompetency, or misconduct, in the practice of		

landscape architecture. 481.325(1)(g), F.S.		
First Offense	<u>From</u> Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 36 months, <u>to</u> suspension up to 24 months, <u>and</u> fine up to \$1,000
Subsequent offenses	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>to</u> suspension up to 27 months, <u>and</u> fine up to \$1,000
(c) Fraud or use of trick or scheme in or related to the practice of a profession. 455.227(1)(m), F.S.		
First Offense	<u>From</u> Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$3,000	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent offenses	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000 3,500
(d) Intentionally violating any rule of the board or the department. 455.227(1)(b), F.S.		

First offense	From Reprimand, corrective action, to probation up to 3 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$5,000
(e) Violating any rule adopted pursuant Ch. 481, Pt. II, or Ch. 455. 481.325(1)(h), F.S.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$1,000
(f) Violating any provision of Ch. 455, F.S., the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a		

lawfully issued subpoena of the department 455.227(1)(q), F.S.		
First offense	From Reprimand, corrective action, to probation up to 3 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$5,000
(g) Violating any provision of 455.227(1), s. 481.321, or s. 481.323, F.S. 481.325(1)(a), F.S.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$1,000
(h) Failing to perform any statutory or legal obligation placed upon a licensee. 455.227(1)(k), F.S.		

First offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(i) Failing to perform any statutory or legal obligation placed upon a licensed landscape architect. 481.325(1)(k), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
(j) Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of		

adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession. 455.227(1)(c), F.S.		
First offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(k) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of landscape architecture or the ability to practice landscape architecture. 481.325(1)(d), F.S.		
First Offense	<u>From</u> Reprimand,	<u>From</u> Corrective action, probation

	corrective action, <u>to</u> probation up to 3 months	up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation <u>up to 39 months, suspension up to 27 months, to</u> revocation, <u>and</u> fine up to \$1,000
(l) Having a license or the authority to practice the regulated profession acted against, including the denial of licensure, by the licensing authority of any jurisdiction, for a violation that would constitute a violation under Florida law. 455.227(1)(f), F.S.		
First offense	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation <u>up to 36 months, suspension up to 24 months, to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation <u>up to 39 months, suspension up to 27 months, to</u> revocation, <u>and</u> fine up to \$5,000
(m) Having a license to practice landscape		

architecture revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country. 481.325(1)(c), F.S.		
First Offense	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation <u>up to 36 months, suspension up to 24 months, to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation <u>up to 39 months, suspension up to 27 months, to</u> revocation, <u>and</u> fine up to \$1,000
(n) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee. 455.227(1)(g), F.S.		
First Offense	<u>From</u> Reprimand; corrective action, <u>to</u> probation up to 9 months, <u>and</u> fine up to \$1,500	<u>From</u> Corrective action, probation <u>up to 27 months, suspension up to 15 months, to</u> revocation, <u>and</u> fine up to \$5,000

Subsequent Offenses	From Reprimand, corrective action, <u>to</u> probation up to 12 months, <u>and</u> fine up to \$2,000	From Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(o) Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so. Such reports or records shall include only those that are signed in the capacity of a licensee. 455.227(1)(l), F.S.		
First Offense	From Reprimand, corrective action, <u>to</u> probation up to 9 months, <u>and</u> fine up to \$1,500	From Corrective action, probation up to 27 months, <u>suspension up to 15 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	From Reprimand, corrective action, <u>to</u> probation up to 12 months, <u>and</u> fine up to \$2,000	From Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(p) Making or filing a report or record that the licensee knows		

to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a registered landscape architect. 481.325(1)(e), F.S.		
First Offense	From Reprimand, corrective action, <u>to</u> probation up to 9 months, <u>and</u> fine up to \$750	From Corrective action, probation up to 27 months, <u>suspension up to 15 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, <u>to</u> probation up to 12 months, <u>and</u> fine up to \$750	From Corrective action, probation up to 30 months, <u>suspension up to 18 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
(q) Give false or forged evidence to the board or a member thereof. 481.323(1)(d), F.S.		

First Offense	From Reprimand, corrective action, to probation up to 9 months, <u>and</u> fine up to \$750	From Corrective action, probation up to 27 months, suspension up to 15 months, to revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$750	From Corrective action, probation up to 30 months, suspension up to 18 months, to revocation, <u>and</u> fine up to \$1,000
(r) Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, fraud, or through an error of the department or the board. 455.227(1)(h), F.S.		
First Offense	From Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$3,000	From Corrective action, probation up to 36 months, <u>to</u> suspension up to 24 months, <u>and</u> fine up to \$5,000
Subsequent offenses	From Corrective action <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500	From Corrective action, probation up to 39 months, <u>to</u> suspension up to 27 months, <u>and</u> fine up to \$3,500

(s) Attempting to procure a license to practice landscape architecture by bribery or fraud. 481.325(1)(b), F.S.		
First Offense	From Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 36 months, <u>to</u> suspension up to 24 months, <u>and</u> fine up to \$1,000
Subsequent offenses	From Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 39 months, <u>to</u> suspension up to 27 months, <u>and</u> fine up to \$1,000
(t) Failing to report any person who the licensee knows is in violation of this chapter, the Chapter 481, Pt. II, or the rules of the department or the board. 455.227(1)(i), F.S.		
First Offense	From Reprimand, corrective action, to probation up to 3 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 21 months, <u>to</u> suspension up to 9 months, <u>and</u> fine up to \$4,000

(u) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter, Chapter 481, Pt. II, or the rules of the department or the board. 455.227(1)(j), F.S.		
First offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(v) Aiding, assisting, procuring, or advising any unlicensed person to practice landscape architecture contrary to Chapter 481, Pt. II, or to any rule of the department or of the board. 481.325(1)(j), F.S.		

First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
(w) Employ unlicensed persons to practice landscape architecture. 481.323(1)(f), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
(x) Aid and abet an unauthorized person in the practice of landscape architecture. 481.323(1)(g), F.S.		

First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months , <u>suspension up to 24 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months , <u>suspension up to 27 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
(y) Practice landscape architecture unless the person is a holder of a valid license. 481.323(1)(a), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months , <u>suspension up to 24 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months , <u>suspension up to 27 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
(z) Practicing on a revoked, suspended, inactive, or delinquent license.		

481.325(1)(i), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months , <u>suspension up to 24 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months , <u>suspension up to 27 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
(aa) Present as his or her own the license of another; 481.323(1)(c), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months , <u>suspension up to 24 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months , <u>suspension up to 27 months</u> , <u>to</u> revocation, <u>and</u> fine up to \$1,000
(bb) Use or attempt to use a landscape architect license that has been suspended, revoked, or placed on		

inactive or delinquent status. 481.323(1)(e), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, to probation up to 3 months	<u>From</u> Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$1,000
(cc) Practicing or offering to practice beyond the scope permitted by law or performing work the licensee knows he or she is not competent to perform. Section 455.227(1)(o), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, to probation up to 9 months, <u>and</u> fine up to \$1,500	<u>From</u> Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$2,000	<u>From</u> Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$5,000

(dd) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified to perform them. 455.227(1)(p), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, to probation up to 9 months, <u>and</u> fine up to \$1,500	<u>From</u> Corrective action, probation up to 36 months, suspension up to 24 months, to revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$2,000	<u>From</u> Corrective action, probation up to 39 months, suspension up to 27 months, to revocation, <u>and</u> fine up to \$5,000
(ee) Use the name or title “landscape architect,” “landscape architecture,” “landscape architectural,” “landscape engineering,” “L.A.,” or words to that effect, or advertise any title or description		

tending to convey the impression that he or she is a landscape architect when he or she is not then the holder of a valid license issued pursuant to this part. 481.323(1)(b), F.S.		
First Offense	<u>From</u> Reprimand, corrective action , to probation up to 3 months	<u>From</u> Corrective action, probation up to 18 months , to suspension up to 6 months, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action , to probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 21 months , to suspension up to 9 months, <u>and</u> fine up to \$1,000
(ff) Failure of the landscape architect to include her or his certificate number in advertisement used by the registered landscape architect, corporation, or partnership. 481.321(5), F.S., 61G10-15.003, F.A.C.		
First Offense	<u>From</u> Reprimand, corrective action , to probation up to 3 months	<u>From</u> Reprimand, corrective action , to probation up to 3 months

		6 months, <u>and</u> fine up to \$500
Subsequent Offenses	<u>From</u> Reprimand, corrective action , to probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Reprimand, corrective action , to probation up to 9 months, <u>and</u> fine up to \$750
(gg) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content. 481.325(1)(f), F.S.		
First Offense	<u>From</u> Reprimand, corrective action , to probation up to 3 months	<u>From</u> Corrective action, probation up to 18 months , to suspension up to 6 months, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action , to probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 21 months , to suspension up to 9 months, <u>and</u> fine up to \$1,000
(hh) Exercising influence on the client for financial gain of the licensee or a third party. 455.227(1)(n), F.S.		
First Offense	<u>From</u> Reprimand, corrective action , to probation up to 9 months, <u>and</u> fine up to \$1,500	<u>From</u> Corrective action, probation up to 36 months , suspension up to 24 months, to revocation, <u>and</u> fine up to \$5,000

Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 12 months, <u>and</u> fine up to \$2,000	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(ii) Interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. 455.227(1)(r), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500
Subsequent Offenses	Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 21 months, <u>to</u> suspension up to 9 months, <u>and</u> fine up to \$4,000
(jj) Conceal information relative to violations of Chapter 481, Pt. II. 481.323(1)(h), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$1,000

Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 21 months, <u>to</u> suspension up to 9 months, <u>and</u> fine up to \$1,000
(kk) Failing to report in writing to the Board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. 455.227(1)(t), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$3,500
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 21 months, <u>to</u> suspension up to 9 months, <u>and</u> fine up to \$4,000
(ll) Termination from an impaired practitioner program as described in s. 456.076, F.S., for failure		

to comply, without good cause, or failure to successfully complete a drug or alcohol treatment program. 455.227(1)(u), F.S.		
First offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$5,000
(mm) A landscape architect applying to practice in the name of a corporation must file with the department the names and addresses of all officers and board members of the corporation, and all individuals registered to practice landscape architecture by the corporation who are in responsible		

charge of the practice of landscape architecture by the corporation in this state. 481.319(3), F.S.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 9 months, <u>and</u> fine up to \$750
(nn) A landscape architect qualifying as a partnership or corporation must notify the department within 1 month after any change in the information contained in the application upon which the license is based. Any landscape architect who terminates her or his employment with a partnership or corporation licensed under this part shall notify the department of the termination within 1 month.		

481.319(4), F.S.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Reprimand, corrective action, to probation up to 9 months, <u>and</u> fine up to \$750
(oo) Allowing one's seal to be used on a document not prepared by him or her. 481.325(1)(l), F.S.		
First Offense	From Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 36 months, <u>to</u> suspension up to 24 months, <u>and</u> fine up to \$1,000
Subsequent offenses	From Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$1,000	From Corrective action, probation up to 39 months, <u>to</u> suspension up to 27 months, <u>and</u> fine up to \$1,000
(pp) Signing and sealing any final plan, specification, or report after the seal holder's certificate of registration is expired, suspended or revoked. Failure to surrender suspended or		

revoked seal to the Executive Director within 30 days. Failure to confirm surrender of electronic seal in accordance with Sections 668.001-668.006, F.S. 481.321(2), F.S., 61G10-11.010(3), F.A.C.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Corrective action, probation up to 36 months, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Corrective action, probation up to 39 months, <u>suspension up to 27 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
(qq) A seal shall include the words "STATE OF FLORIDA," "LANDSCAPE ARCHITECT," the licensee's name as it appears on his or her certificate of registration, and the certificate number. Seal shall leave a permanent ink representation		

or other form of embossing or opaque and permanent impression, which also may be computer-generated impressions, on the surface of prints or other duplications of drawings and, as appropriate, upon specification pages and other articles of service. R. 61G10-11.010(1), F.A.C.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$750
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Corrective action, <u>to</u> probation up to 15 months, <u>and</u> fine up to \$1,000
(rr) All plans, (specifications, or reports, including all permit documents, prepared or issued by the registered landscape architect and filed for public record shall be signed by the registered		

landscape architect, dated and stamped with his seal. 61G10-11.010(2), F.A.C.		
First Offense	From Reprimand, corrective action, to probation up to 3 months	From Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$750
Subsequent Offenses	From Reprimand, corrective action, to probation up to 6 months, <u>and</u> fine up to \$500	From Corrective action, <u>to</u> probation up to 15 months, <u>and</u> fine up to \$1,000
(ss) No registered landscape architect shall affix, or permit to be affixed, his seal or signature to any work the registrant is not competent to perform. 61G10-11.010(2), F.A.C.		
First Offense	From Reprimand, corrective action, to probation up to 9 months, <u>and</u> fine up to \$750	From Corrective action, <u>to</u> probation up to 36 months, <u>suspension up to 24 months, to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	From Reprimand, corrective action, to probation up to 12 months, <u>and</u> fine up to \$750	From Corrective action, <u>to</u> probation up to 39 months, <u>suspension up to 27 months, to</u> revocation, <u>and</u> fine up to \$1,000

(tt) Affixing or allowing to be affixed the landscape architect's seal or name to any plan, specification, drawing, or other document which was not prepared by the landscape architect or under her or his responsible supervising control, or which was not reviewed, approved, or modified, and adopted by her or him as her or his own work with full responsibility as a landscape architect for such documents. 481.321(3), F.S.		
First Offense	<u>From</u> Corrective action, probation up to 15 months, <u>to</u> suspension up to 3 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 36 months, <u>to</u> suspension up to 24 months, <u>and</u> fine up to \$1,000
Subsequent offenses	<u>From</u> Corrective action, probation up to 18 months, <u>to</u> suspension up to 6 months, <u>and</u> fine up to \$1,000	<u>From</u> Corrective action, probation up to 39 months, <u>to</u> suspension up to 27 months, <u>and</u> fine up to \$1,000
(uu) Violation of provisions		

governing electronic sealing and transmission of plans, specifications and reports in Section 481.321(1), F.S., and Rule 61G10-11.011, F.A.C.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 12 months, fine up to \$750
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months, <u>and</u> fine up to \$500	<u>From</u> Corrective action, to probation up to 15 months, <u>and</u> fine up to \$1,000
(vv) Violate standards of competence to perform mangrove trimming. 61G10-17.001, F.A.C.		
First Offense	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 3 months	<u>From</u> Corrective action, probation up to 36, <u>suspension up to 24 months,</u> <u>to</u> revocation, <u>and</u> fine up to \$1,000
Subsequent Offenses	<u>From</u> Reprimand, corrective action, <u>to</u> probation up to 6 months	<u>From</u> Corrective action, probation up to 39, <u>suspension up to 27 months,</u> <u>to</u>

	months, <u>and</u> fine up to \$500	revocation, <u>and</u> fine up to \$1,000
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(5) No change.

Rulemaking Specific Authority 481.306, 481.325, 455.2273 FS Law Implemented 481.323, 481.325, 455.227, 455.2273, 403.9329(1)(e) FS. History—New 11-24-86, Formerly 21K-14.003, Amended 11-19-00, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399-0751; Ruthanne.Christie@myfloridalicense.com.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District hereby gives notice: that on September 22, 2021, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Willowbend Community Association, Inc. - File Tracking No. 21-4341

Date Petition Filed: August 26, 2021

Rule No.: 40D-22.201, F.A.C.

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

Date Petition Published in the Florida Administrative Register September 3, 2021

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Talia Paolillo, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 22, 2021, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Eastpointe Executive Center at 122 S Amelia Ave, Deland, FL, filed September 9, 2021, and advertised on September 16, 2021, in Vol. 47, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rules 2.27.1.1, 2.27.3.1, and 2.27.3.2, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires upgrading the two-way communications, phase I emergency recall operation, and phase I emergency recall operation by fire alarm initiating devices because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and that the Petitioner would suffer a substantial hardship if required to comply with this rule (VW2021-137).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.007 Continuing Education Requirements During Initial Licensure Period

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on August 16, 2021 by Michael Perusich, D.C. The Notice of Petition for Variance or Waiver was published in Vol. 47, No. 159, of the August 17, 2021, Florida Administrative Register. Petitioner sought a variance from or a waiver of subsection 64B2-13.007(1), F.A.C., which states that during the first twelve (12) months after initial licensure, practitioners are required to attend one (1) full day at a Florida Board of Chiropractic Medicine meeting at which disciplinary hearings are conducted as provided in paragraph 64B2-13.004(7)(a), F.A.C. Due to hardship, of COVID-19 pandemic that was experienced, Petitioner requested that the Board approve an extension of the (12) months' time to allow Petitioner to attend the upcoming board meeting on August 27, 2021. The Board considered the instant Petition at a duly noticed public meeting held on August 27, 2021 in Orlando,

Florida. The Board's Order, filed on September 14, 2021, denied the Petition for Variance and Waiver. Petitioner was NOT PRESENT at this meeting, so even if the Board were to grant the requested relief and allow attendance at today's meeting to satisfy the rule's requirement, Petitioner would remain in violation. Because the Petition fails to demonstrate how Petitioner complied with the purpose of the underlying statute by other means, or how application of the terms of the rule poses an undue hardship on Petitioner or otherwise violates principles of fairness, the Petition must be denied, as specified in the Order.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or by electronic mail: Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH**Board of Chiropractic Medicine****RULE NO.: RULE TITLE:****64B2-13.004 Continuing Education**

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 19, 2021 by Gerald Bogin D.C. The Notice of Petition for Variance or Waiver was published in Vol. 47, No. 143, of the July 26, 2021, Florida Administrative Register. Petitioner sought a variance from or a waiver of Rule 64B2-13.004, F.A.C., which establishes criteria for acceptable continuing chiropractic education necessary for renewing a license. Petitioner requested that the Board approve the 27 hours of classroom contact education Petitioner earned from his Acupuncture Certification courses as satisfaction of the CE rule's requirement. The Board considered the instant Petition at a duly noticed public meeting held on August 27, 2021 in Orlando, Florida. The Board's Order, filed on September 13, 2021, denied the Petition for Variance and Waiver because the Board finds the Petitioner has failed to demonstrate how compliance with the rule's underlying statute, section 460.406, F.S., has been or would be achieved by other means. Petitioner took the identified acupuncture course hours to fulfill the requirements of Sections 460.403 and Rule 64B2-17.003, F.A.C. and to be able to utilize acupuncture in his practice. Petitioner has presented no evidence regarding statutory intent to allow "double dipping" of hours used for one statutory purpose to fulfill another, separate statutory requirement. Because the Petition fails to demonstrate how Petitioner complied with the purpose of the underlying statute by other means, the Petition must be denied, as specified in the Order.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07,

Tallahassee, FL 32399-3257 or by electronic mail: Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH**Board of Chiropractic Medicine****RULE NO.: RULE TITLE:****64B2-13.0049 Inactive Status License**

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on August 16, 2021 by Casey Justin Rogers D.C. The Notice of Petition for Variance or Waiver was published in Vol. 47, No. 79, of the April 23, 2021, Florida Administrative Register. Petitioner sought a variance from or a waiver of Rule 64B2-13.0049, F.A.C., which provides that an inactive status licensee may change to active status at any time provided the licensee meets the continuing education requirements of Rule 64B2-13.004, F.A.C., Petitioner requested that the Board approve the hours from his Chiropractic Integrated Clinic Practice course as satisfaction of the rule's CE requirement. The Board considered the instant Petition at a duly noticed public meeting held on August 27, 2021 in Orlando, Florida. The Board's Order, filed on September 14, 2021, denied the Petition for Variance and Waiver because the Board finds the Petitioner has failed to demonstrate how compliance with the rule's underlying statute, Section 460.406, F.S., has been or would be achieved by other means. The full course materials, including instructor CVs, detailed syllabi, etc., have not been submitted for review and approved by the Board, nor have sufficient materials been submitted with the Petition for the Board to determine all requirements have been substantially satisfied. Because the Petition fails to demonstrate how Petitioner complied with the purpose of the underlying statute by other means, the Petition must be denied, as specified in the Order.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or by electronic mail: Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH**Board of Dentistry****RULE NO.: RULE TITLE:****64B5-2.013 Dental Examinations**

The Board of Dentistry hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 16, 2021 by Michael Abdelmalik. The Notice of Petition for Variance or Waiver was published in Vol. 47, No. 139, of the July 20, 2021, Florida Administrative Register. Petitioner sought a variance from or a waiver of paragraph 64B5-2.013(1)(b), F.A.C, which requires all parts of the ADEX shall be completed within eighteen (18) months from the initial start of any portion of the examination. A failure to complete all parts

of the examination within eighteen (18) months will require the applicant to retake the entire examination. Due to hardship, the COVID-19 pandemic and actions to limit gatherings of people and “social distancing,” Petitioner requested a variance and waiver to be granted credit for the Anterior Restorative portion, completed in 2021 (within 22 months) rather than 18 months. The Board considered the instant Petition at a duly noticed public meeting held on August 13, 2021 in Maitland, Florida. The Board’s Order of Notice of Intent to Deny Petition for Variance and Waiver and Order Accepting Withdrawal of Application for Licensure, filed on August 30, 2021. The Board finds the Applicant has failed to meet his burden to demonstrate that a strict application of this rule would violate principles of fairness or create a substantial hardship or that the applicant has met or will meet the underlying purpose of the statute via other means. Following the Board’s vote to deny the Petition for Variance or Waiver, and it is appearing that the Applicant did not satisfy the requirements for eligibility for Florida Licensure, the Applicant moved to WITHDRAW his application.

A copy of the Order or additional information may be obtained by contacting: Jessica Sapp, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, Jessica.Sapp@myflhealth.gov.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

The Board of Physical Therapy Practice hereby gives notice: that on September 14, 2021, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Parini Bidja, on June 10, 2021, seeking a waiver or variance of Rule 64B17-3.001, F.A.C., with regards to her qualifications for licensure. The Notice of Petition for Variance or Waiver was published in Vol.47, No.114, on June 14, 2021, in the Florida Administrative Register. No comments were received on the Petition. The Board, at its meeting held on August 27, 2021, voted to deny the Petition for Variance or Waiver finding that the Petitioner failed to demonstrate a substantial hardship; failed to demonstrate that application of the rule would violate the principles of fairness; and failed to demonstrate that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on September 22, 2021, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(96) Florida Administrative Code and the 2019 Qualified Allocation Plan from Arbours at Merrillwood I, LLLP waiving the Qualified Allocation Plan's prohibition from returning Housing Credit Allocations prior to the last quarter of 2022; allowing the immediate return of Petitioner's 2020 Housing Credit Allocation; and immediately allocate new Housing Credits to Petitioner with a later placed in service date, in an amount equal to the amount of its 2020 Housing Credit Allocation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on September 22, 2021, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(96) Florida Administrative Code and the 2019 Qualified Allocation Plan from Westside Phase I, LLLP waiving the Qualified Allocation Plan's prohibition from returning Housing Credit Allocations prior to the last quarter of 2022; allowing the immediate return of Petitioner's 2020 Housing Credit Allocation; and immediately allocate new Housing Credits to Petitioner with a later placed in service date, in an amount equal to the amount of its 2020 Housing Credit Allocation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on September 22, 2021, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(96) Florida Administrative Code and the 2019 Qualified Allocation Plan from Amaryllis Park Place II, LLC waiving the Qualified Allocation Plan's prohibition from returning Housing Credit Allocations prior to the last quarter of 2022; allowing the immediate return of Petitioner's 2020 Housing Credit Allocation; and immediately allocate new Housing Credits to Petitioner with a later placed in service date, in an amount equal to the amount of its 2020 Housing Credit Allocation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

University of North Florida

The Duval County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2021, 2:00 p.m.

PLACE: Adam W. Herbert University Center, 12000 Alumni Drive, Jacksonville, FL 32224-2678

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Business Meeting

A copy of the agenda may be obtained by contacting: Dr. Earle C. Traynham, Exec. Director., DCRDA/CCB, 1 UNF Dr., Jacksonville, FL 32224.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation, District Three announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 5, 2021, 1:00 p.m. – 3:00 p.m. Central

PLACE: Virtual: Visit www.NWFLRoads.com

In-Person: FDOT Panama City Operations Center, 3633 Highway 390, Panama City, Florida 32405

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Tentative Program of Work for Fiscal Years July 1, 2022 through June 30, 2027

The Florida Department of Transportation (FDOT) District Three will hold a virtual (online) and in-person public hearing to present the Tentative Program of Work for Fiscal Years July 1, 2022 through June 30, 2027, Tuesday, October 5, 2021, 1:00 p.m. – 3:00 p.m. Central, to which all persons are invited.

Those wishing to attend in-person may do so at the FDOT Panama City Operations Center, 3633 Highway 390, Panama City, Florida 32405. Registration for the virtual hearing can be completed by visiting this link: <https://attendee.gotowebinar.com/register/1784135055050957072>.

FDOT staff will be available during this time to discuss the District's Tentative Work Program and answer questions.

For more information or to schedule to speak with a District representative, one-on-one regarding the Work Program, at 1074 Highway 90, Chipley, Florida 32428, call 1(888)638-0250, extension 1270 or email carla.hodges@dot.state.fl.us.

Comments will be received at the virtual (online) and in-person hearing, electronically by emailing Carla Hodges, District Program Management Administrator, at d3-phcomments@dot.state.fl.us, or by mailing written comments to Mr. Phillip Gainer, P.E., District Secretary, FDOT District Three, Post Office Box 607, Chipley, Florida 32428. Comments must be submitted or postmarked by Friday, October 15, 2021 to be a part of the official record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Carla Hodges toll-free at 1(888)638-0250, extension 1270 at least seven days prior to the hearing.

This hearing is being held without regard to race, color, national origin, age, sex, religion, disability, or family status. For

questions or concerns contact Alicia Brining, District Three Title VI Coordinator, 1074 Highway 90, Chipley, FL 32428, toll-free at 1(888)638-0250, extension 1502, or via email at alicia.brining@dot.state.fl.us.

PURPOSE: This Public Hearing is being conducted pursuant to Section 339.135(4)(c), Florida Statutes. The purpose of the public hearing is to consider the Department's Tentative Work Program for District Three, for the period 2022/2023 through 2026/2027, and to consider the necessity of making any changes to the program.

A copy of the agenda may be obtained by contacting: Carla Hodges, District Program Management Administrator at 1(888)638-0250, extension 1270.

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: Carla Hodges, District Program Management Administrator at 1(888)638-0250, extension 1270. 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: Carla Hodges, District Program Management Administrator at 1(888)638-0250, extension 1270.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its regularly scheduled Commission Conference, to which all interested persons are invited.

DATE AND TIME: Tuesday, October 12, 2021, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S. Persons who may be affected by Commission action on certain items on the Conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C. The Commission Conference Notice, Agenda, related documents, and FPSC contact information are available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are

available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Tuesday, October 12, 2021, immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Room 105, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces a Special Commission Conference in the following docket, to which all interested persons are invited.

DOCKET NO: 20210015-EI

DATE AND TIME: Tuesday, October 26, 2021, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S. The Special Commission Conference Notice, Agenda, related documents, and contact information are available at www.floridapsc.com.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

EXECUTIVE OFFICE OF THE GOVERNOR

The Office of Policy and Budget/Executive Office of the Governor announces a public meeting to which all persons are invited.

DATE AND TIME: October 8, 2021, 8:00 a.m.

PLACE: 2103 Capitol

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency Legislative Budget Requests and Long-Range Program Plans for Fiscal Year 2022-2023 through 2026-2027.

A copy of the agenda may be obtained by contacting: Office of Policy and Budget, (850)717-9416.

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: Office of Policy and Budget, (850)717-9416. 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: Office of Policy and Budget, (850)717-9416.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Okaloosa-Walton Transportation Planning Organization announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 29, 2021, 3:00 p.m.

PLACE: Niceville Community Center located at 204-C Partin Drive North, Niceville, FL, 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Okaloosa-Walton Transportation Planning Organization (TPO) will hold a public meeting at 3:00 p.m., Wednesday, September 29, 2021, at Niceville Community Center located at 204-C Partin Drive North, Niceville, FL, 32578. The Citizens' Advisory Committee (CAC) will meet at 9:30 a.m. and the Technical Coordinating Committee (TCC) will meet at 1:30 p.m.

The TPO and advisory committee meetings will be held in person at the above location. However, for the convenience of our community members, the meeting can be accessed online via YouTube live stream or by phone. All in-person participants are encouraged to follow CDC COVID-19 guidelines and social distancing recommendations.

The TPO will consider:

1. Consideration of Resolution O-W 21-16 Adopting Targets for Transit Safety Performance Measures – Mr. Howard Vanselow, ECRC Staff
2. Consideration of Citizens' Advisory Committee (CAC) Application from Ms. Wanjiku Jackson- Ms. Mary Beth Washnock, ECRC Staff

Look at maps, read through the current list of transportation projects, and learn more about the Okaloosa-Walton TPO at <http://www.ecrc.org/OWTPO>.

A full agenda, when available, can be viewed at <http://www.ecrc.org/OWTPOMeetings>.

Join us on YouTube! www.ecrc.org/youtube

Dial-In to Comment Live! United States: (224)501-3412, Access Code: 145-136-445

All comments submitted at least 24 hours before are guaranteed to be read during the public meeting. Comments submitted after the 24-hour deadline will be recorded and disseminated to the Board. Please email publicinvolvement@ecrc.org with additional questions or concerns. You can also have your comment read during the meeting by submitting 24 hours before at www.ecrc.org/OWeComment or the link below.

In compliance with the Americans with Disabilities Act, reasonable accommodations to access meeting, and for Limited English Proficiency (LEP), are available upon request. Persons who need special accommodations under the Americans with Disabilities Act or persons who need translation services should contact Public Involvement toll-free at 1(800)226-8914 or TTY 711, at least 48 hours (about 2 days) in advance. Para

informacion en espanol, puede llamar a Ada Clark al (850)332-7976, ext. 278 o TTY 711. Si necesita acomodaciones especiales, por favor llame 48 horas de antemano.

Participation is asked for without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976.

The Okaloosa-Walton Transportation Planning Organization is staffed by the Emerald Coast Regional Council, a regional entity providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public to preserve and enhance the quality of life in northwest Florida.

A copy of the agenda may be obtained by contacting: publicinvolvement@ecrc.org or calling (850)332-7976.

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: publicinvolvement@ecrc.org or calling (850)332-7976. 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: publicinvolvement@ecrc.org or calling (850)332-7976

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Florida Department of Economic Opportunity announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 2021, 3:00 p.m. – 5:00 p.m. ET

PLACE: Florida Department of Education, Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399, Room: 1703/07 (17th Floor). Please note that all in-person attendees will need to have proper photo identification and must check in at the security desk before being escorted to the conference room. Conference Call Information: 1(877)309-2071(Toll Free) or (951)384-3421 (Not Toll Free), Access Code: 654-337-978.

Use this link to register for the meeting at: <https://attendee.gotowebinar.com/register/1219650183663851788>. You will receive a confirmation email containing information about joining the webinar. *Note: One may need to create an account or login. Webinar ID: 963-748-755.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Talent Development Council.

A copy of the agenda may be obtained by contacting: Allison Hopkins, (850)245-7196.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: (850)245-7401. 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: Allison Hopkins at (850)245-7196.

Florida Surplus Asset Fund Trust

The Florida Surplus Asset Fund Trust announces a public meeting to which all persons are invited.

DATE AND TIME: September 30, 2021, 1:00 p.m.

PLACE: Zoom Meeting ID: 881 5796 0694, Passcode: 622421

GENERAL SUBJECT MATTER TO BE CONSIDERED: AGENDA

This special meeting of the Board of Trustees for Florida Surplus Asset Fund Trust will be held on Thursday, September 30, 2021, 1:00 p.m. via Zoom.

Zoom Meeting ID: 881 5796 0694; Passcode: 622421

MEETING OF THE BOARD OF TRUSTEES - BOARD OF PARTICIPANTS

A. BUSINESS ITEMS

1. Call to Order/ Roll Call
2. Public Comments
3. Participant and Guest Introductions
4. Update FMAS & PMA Fees
5. Other Board matters

B. OTHER ITEMS

1. FLSAFE Counsels' Comments
2. Participants' Comments
3. Advisory Council Member Comments
4. Board Members' Comments

C. SET NEXT MEETING DATE/ ADJOURNMENT

1. Future meeting dates: October 28, 2021

A copy of the agenda may be obtained by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jl Larson@floridamanagementservices.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 24 hours before the workshop/meeting by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jl Larson@floridamanagementservices.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).

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: Jeff Larson, FLSAFE Administrator at (407)496-1597, jl Larson@floridamanagementservices.com.

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
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
11011 S.W. 104th STREET
MIAMI, FL 33176-3393

Miami Dade College is seeking electronic responses to the Request for Qualifications (RFQ) listed below. All solicitation documents, announcements, scheduled meetings, and links will be posted on, and communicated through, the Miami Dade College BidNet Direct website:
<https://www.bidnetdirect.com/florida/miamidadecollege>

BID NUMBER: 2022-JB-03

BID TITLE: Tree Trimming and Ground Services College-wide

Due Date: by 3:00 p.m. ET, October 15, 2021

Contact for this solicitation: Junior (Jay) Bergel - jbergel@mdc.edu

If a person decides to appeal any decision with respect to any matter considered at the above-cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF EDUCATION
University of North Florida

RFQ# 22-11 Coggin College of Business Phase II A&E Services

Notice of Request for Qualifications

UNIVERSITY OF NORTH FLORIDA PROCUREMENT SERVICES RFQ# 22-11 COGGIN COLLEGE OF BUSINESS PHASE II A&E SERVICES

The University of North Florida Board of Trustees, a public body corporate, announces that Architectural & Engineering services are required for the design and construction oversight of the new addition connecting Building #42 and Building #10, as well as the renovation of the 1st and 2nd Floor of Building #10 as it relates to the new addition. The Project is located at Coggin College of Business, Building 42, 1 UNF Drive, Jacksonville, FL 32224.

Project information

It is the intent of UNF to select a design team for all services through construction oversight. The initial contract will be only

for Architectural Programming and Schematic Design. Additional work through construction oversight may be negotiated and added upon mutual agreement between UNF and the selected firm by way of amendment to the original agreement.

The proposed schedule for this project is:

Advertisement: September 24, 2021

Pre-Proposal Meeting: October 5, 2021, 11:00 a.m.

Deadline for questions: October 13, 2021, 12:00 p.m.

Response to questions: October 18, 2021

Proposals Due: October 26, 2021, 2:00 p.m.

Responses will only be accepted electronically through the UNF Bid Portal. Responses delivered in-person, by mail, by fax, or by email will be deemed non-responsive.

Insurance

Insurance requirements as provided in the University's Terms and Conditions and resulting contract, if any, will apply.

Solicitation documents, forms, and descriptive project information may be obtained online at <https://bids.sciquest.com/apps/Router/PublicEvent?CustomerOrg=UNF>.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, September 17, 2021 and 3:00 p.m., Thursday, September 23, 2021.

Rule No.	File Date	Effective Date
1S-2.009	9/17/2021	10/1/2021
1S-2.0091	9/17/2021	10/1/2021
5B-57.014	9/22/2021	10/12/2021
5B-65.001	9/17/2021	10/7/2021
5B-65.002	9/17/2021	10/7/2021
5B-65.003	9/17/2021	10/7/2021
5B-65.004	9/17/2021	10/7/2021
5B-65.005	9/17/2021	10/7/2021
5B-66.001	9/17/2021	10/7/2021
5B-66.002	9/17/2021	10/7/2021

5B-66.003	9/17/2021	10/7/2021
5B-66.004	9/17/2021	10/7/2021
5B-66.005	9/17/2021	10/7/2021
5B-66.006	9/17/2021	10/7/2021
12ER21-17	9/20/2021	10/1/2021
12ER21-18	9/20/2021	10/1/2021
12ER21-19	9/20/2021	10/1/2021
12ER21-20	9/20/2021	10/1/2021
59A-36.002	9/17/2021	10/7/2021
59A-36.006	9/17/2021	10/7/2021
59A-36.022	9/17/2021	10/7/2021
59E-2.025	9/17/2021	10/7/2021
60FF1-5.002	9/21/2021	10/11/2021
60FF1-5.010	9/22/2021	10/12/2021
61J2-2.032	9/17/2021	10/7/2021
64B7-32.001	9/20/2021	10/10/2021
64B14-2.003	9/17/2021	10/7/2021
64B14-2.005	9/17/2021	10/7/2021
64DER21-15	9/22/2021	9/22/2021

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
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF LEGAL AFFAIRS

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to subparagraph 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Agency's Annual Regulatory Plan, effective October 1, 2021, is available at the following web address:
[http://myfloridalegal.com/webfiles.nsf/WF/MNOS-C75JKH/\\$file/Annual+Regulatory+Plan+2021-2022.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MNOS-C75JKH/$file/Annual+Regulatory+Plan+2021-2022.pdf).

DEPARTMENT OF TRANSPORTATION

Notice of Publication of 2021-2022 Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 23, 2021, the Department of Transportation published its 2021-2022 Regulatory Plan in accordance with Section 120.74(2), F.S. The Regulatory Plan is available on the Florida Department of Transportation website at: www.fdot.gov.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Nothin Specific Customs, Inc., dba Cart Guys Melbourne, line-make CITC

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 Bintelli LLC, intends to allow the establishment of Nothin Specific Customs, Inc., dba Cart Guys Melbourne as a dealership for the sale of low-speed vehicles manufactured by Bintelli LLC (line-make CITC) at 3665 West New Haven Avenue, Melbourne, (Brevard County), Florida 32904, on or after October 25, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Nothin Specific Customs, Inc., are dealer operator(s): James Davidson, 2045 Commodore Street, Melbourne, Florida 32904, William Murray, 2845 New York Street, Melbourne, Florida 32904; principal investor(s): James Davidson, 2045 Commodore Street, Melbourne, Florida 32904, William Murray, 2845 New York Street, Melbourne, Florida 32904.

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: Jaime Williams, 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: Justin Jackrel, Bintelli LLC, 2137 Savannah Highway, Charleston, South Carolina 29414.

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.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

FAR Notice for the Draft 2022 South Florida Environmental Report (SFER) – Volume I Web Board Public and Peer Review
 FAR Notice for the draft 2022 South Florida Environmental Report (SFER) – Volume I Web Board Public and Peer Review

Date and Time: The web board will be available for public comment on the draft 2022 SFER – Volume I from October 4, 2021, through November 1, 2021. The SFER web board will also be available for public viewing from October 4, 2021, through March 15, 2022.

Place: <https://www.sfwmd.gov/science-data/scientific-publications-sfer>

General Subject Matter to be Considered:

The South Florida Water Management District (SFWMD) announces the upcoming web posting of the draft 2022 South Florida Environmental Report (SFER) – Volume I to which all persons are invited to view and encouraged to comment. The public and peer review will be conducted on a dedicated web board, which will be accessible from SFWMD's website at <https://www.sfwmd.gov/science-data/scientific-publications-sfer>. The posting of the draft Volume I chapters and appendices will be split into two posting dates and the review period extended. The two posting dates are October 4 and October 14, 2021.

Beginning on October 4, 2021, through March 15, 2022, interested parties may access the SFER web board and view communications among the peer review panelists, agency responses to comments, electronically stored communications, and other public records associated with the draft 2022 SFER – Volume I that are web posted. Peer review panelists comments and recommendations will be posted on the web board, and the public can access this information via the website. The public may comment directly on the web board at any time between October 4, 2021, through November 1, 2021, on any aspect of the draft 2022 SFER – Volume I, particularly on relevant

scientific or technical data and findings. Communications and documents from all parties can be accessed at any time once they are posted during the review period.

A copy of the agenda may be obtained by contacting: Not applicable

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this event is asked to advise the agency at least 5 days before the event by contacting: District Clerk, (561)682-6805. 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 about the meeting, contact: the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, or contact Kim Chuirazzi (561)682-2425, kchuiraz@sfwmd.gov.

For information regarding this review, please write to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, or contact Kim Chuirazzi (561)682-2425, kchuiraz@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

Board of Pilot Commissioners

Pilotage Rate Review Committee (PRRC)

The Board of Pilot Commissioners announces a petition for a change in the rates of pilotage charged by the licensed state pilots and certified deputy pilots at the Port of Palm Beach has been filed with the Pilotage Rate Review Committee, pursuant to Section 310.151, Florida Statutes and Chapter 61G14-22, Florida Administrative Code.

The last rate change granted for the Port of Palm Beach was August 1, 2013. The PRRC intends to consider the following requested rate change for the Port of Palm Beach.

The petition requests the following changes:

Draft charge increased from \$16.00 per foot with a 13 foot minimum to \$20 per foot with a 17 foot minimum.

Tonnage charge decreased from \$0.034 to \$0.032 per GT with an increase in minimum GT from 2500 GT to 5000 GT.

Shifting vessel < 7000 GT increased from \$250 to \$400.

Shifting vessel 7000 GT or greater increased from \$400 to \$800.

Barges will increase from GT + draft to GT + 1.5 x draft for barges > 5000 GT.

Running lines by pilot boat increased from \$300 to \$400.

Anchoring vessel in anchorage area increased from \$600 to \$1000.

Detention/cancellation of pilot increased from \$150 per ½ hour to \$300 per ½ hour.

A \$25 per handle fee for 7 years for purchase of a new pilot boat beginning January 1, 2020.

A \$25 per handle fee for port control duties beginning January 1, 2020.

A 5% increase per year for 10 years beginning on the one year anniversary of rate increase implementation.

A reduced passenger vessel GT charge of \$0.016/GT on GT above 55,000 GT.

Late payment charge is 2% per month after 30 days from invoice submission.

All interested parties should have filed an answer, an additional or alternative application, or any other applicable pleading or response, including all documentation, by May 26, 2021.

DATE, TIME, LOCATION OF SITE VISIT: The PRRC's site visit to the Port of Palm Beach will occur on Monday, November 8, 2021, 3:00 p.m. EST, 200 East 13th Street, Riviera Beach, 33404.

DATE, TIME, LOCATION OF RATE HEARING: The Rate Hearing will begin on Tuesday, November 9, 2021 at 10:30 a.m. EST, at the Hilton Garden Inn Palm Beach Gardens, 3505 Kyoto Gardens Drive, Palm Beach Gardens, Florida 33410.

A copy of the petition as well as the report of the Investigative Committee (when it becomes available) may be obtained by contacting: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982 and can be found at www.myfloridalicense.com/DBPR/harbor-pilots/pilotage-rate-review/.

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: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Drinking Water State Revolving Fund
NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION
NOTIFICATION (FCEN)
CITY OF PARKER

The Florida Department of Environmental Protection (DEP) has determined that the City of Parker's project involving the construction of about 6 miles of new water distribution mains is not expected to generate controversy over potential environmental effects. The total estimated project cost is about \$3 million. The project may qualify for a Drinking Water State Revolving Fund (SRF) loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the FCEN can be obtained by writing to Gregg Caro, DEP SRF Program, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, calling (850)245-2982 or emailing gregg.caro@dep.state.fl.us.

DEPARTMENT OF JUVENILE JUSTICE
NOTICE OF PUBLICATION OF 2021-2022 REGULATORY PLAN

Pursuant to subparagraph 120.74(2)(a)3., Florida Statutes, notice is hereby given that on September 23, 2020, the Florida Department of Juvenile Justice published its Regulatory Plan for 2021-2022 on its website. The Regulatory Plan is available at:

<https://www.djj.state.fl.us/content/download/54628/file/DJJ%20Annual%20Regulatory%20Plan.pdf>.

DEPARTMENT OF FINANCIAL SERVICES
Office of Financial Regulation
NOTICE OF PUBLICATION OF 2021-22 AGENCY REGULATORY PLAN

Notice is hereby given that on September 23, 2021, in accordance with subsection 120.74(2), Florida Statutes (2020), the OFFICE OF FINANCIAL REGULATION published its 2021-22 Regulatory Plan, which is directly accessible at <https://flofr.gov/sitePages/documents/2021OFRAnnualRegulatoryPlan.pdf>.

DEPARTMENT OF FINANCIAL SERVICES
FSC - Financial Institution Regulation
Office of Financial Regulation
Financial Services Commission

Office of Financial Regulation

September 23, 2021

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

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

Phone: (850)410-9889

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

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., October 14, 2021):

APPLICATION TO MERGE

Constituent Institutions: Bay Credit Union, Panama City, Florida and FLAG Credit Union, Tallahassee, Florida
Resulting Institution: Bay Credit Union, Panama City, Florida
With Title: Bay Credit Union
Received: September 21, 2021

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA
Federal Reserve Bank of Atlanta, Atlanta, GA
Comptroller of the Currency, Atlanta, GA
John H. DeLoach, Attorney
William Berg

Jared Ross

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.
