

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** RULE TITLE:  
6A-1.094124 Required Instruction Planning and Reporting  
**PURPOSE AND EFFECT:** The purpose of this amendment is to revise and clarify language related to the submission of instructional planning and reporting.  
**SUBJECT AREA TO BE ADDRESSED:** Submission of instructional planning and reporting.  
**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1003.42(2), F.S.

**LAW IMPLEMENTED:** 1003.42, F.S.  
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
**DATE AND TIME:** April 19, 2024; 2:00 p.m. - 3:00 p.m. ET or upon conclusion of business, whichever is earlier.

**PLACE:** [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MTQyY2EyNzgtM2Y5MC00NmFILWE3YzctY2NiZjU5NGVkNmNi%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%229d55e14b-b721-412f-9df0-f43288be9b43%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTQyY2EyNzgtM2Y5MC00NmFILWE3YzctY2NiZjU5NGVkNmNi%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%229d55e14b-b721-412f-9df0-f43288be9b43%22%7d)

**Meeting ID:** 281 635 460 646 **Passcode:** omwyKT  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natasha Lunan, Bureau of Standards and Instructional Support, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0725. To comment on this rule development, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

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

**DEPARTMENT OF TRANSPORTATION**

**RULE NO.:** RULE TITLE:  
14-73.001 Public Transportation  
**PURPOSE AND EFFECT:** This rule is being amended to streamline and update the process for Florida’s Public Transit Agencies that are required to submit a Transit Development Plan. This rule sets forth the requirements for recipients of Department’s public transit grant funds.  
**SUBJECT AREA TO BE ADDRESSED:** Transit Development Plan (TDP) Process for Florida’s Public Transit Agencies and Annual TDP Updates.

**RULEMAKING AUTHORITY:** 334.044(2), 341.041(12)(b) FS.  
**LAW IMPLEMENTED:** 341.041, 341.051, 341.052, 341.071 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: Austin Hensel, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458, (850)414-5290, [austin.hensel@dot.state.fl.us](mailto:austin.hensel@dot.state.fl.us).

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**

**Construction Industry Licensing Board**

**RULE NO.:** RULE TITLE:  
61G4-17.001 Normal Penalty Ranges  
**PURPOSE AND EFFECT:** The Board proposes an amendment that updates the rule requirements for normal penalty ranges.  
**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendment addresses normal penalty ranges.  
**RULEMAKING AUTHORITY:** 455.227, 489.108, 489.129 FS.

**LAW IMPLEMENTED:** 455.227, 455.2273, 489.129 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: Amanda Ackermann, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039, or telephone: (850)487-1395, or by electronic mail to [Amanada.Ackermann@myfloridalicense.com](mailto:Amanada.Ackermann@myfloridalicense.com)  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

## Section II Proposed Rules

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

| RULE NOS.:  | RULE TITLES:  |
|-------------|---|
| 11B-20.001  | Definitions and Minimum Requirements for General Certification of Instructors     |
| 11B-20.0013 | Commission Instructor Certification Categories                                    |
| 11B-20.0014 | Minimum Requirements for High-Liability and Specialized Instructor Certifications |
| 11B-20.0016 | Inspection of Instructor Certification Applications                               |
| 11B-20.0017 | Maintenance and Duration of Instructor Certifications                             |

**PURPOSE AND EFFECT:** Paragraph 11B-20.001(2)(a), F.A.C.: Incorporates the revised Instructor Certification Application, form CJSTC-71, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Sub-subparagraph 11B-20.001(3)(a)3.a., F.A.C.: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Paragraph 11B-20.0013(3)(e), F.A.C.: Adds Breath Test Instructor Certification-Intoxilyzer 9000 to the list of Commission-approved Specialized Instructor Certification, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Paragraph 11B-20.0014(1)(d), F.A.C.: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.

Sub-paragraph 11B-20.0014(2)(a)2., F.A.C.: Removes Vehicle Operations Instructor Course retirement date.

Sub-paragraph 11B-20.0014(2)(b)2., F.A.C.: Removes Firearms Instructor Course retirement date.

Sub-paragraph 11B-20.0014(2)(d)3., F.A.C.: Removes First Responder Instructor Course retirement date.

Sub-paragraph 11B-20.0014(3)(d)3., F.A.C.: Revises the Breath Test Instructor Certification terminology to reflect that instructor applicants may have a minimum of three years' experience as a "permitted" breath test operator and agency inspector rather than "certified".

Paragraph 11B-20.0014(3)(e), F.A.C.: Adds Breath Test Instructor Certification-Intoxilyzer 9000 as a Commission-approved Specialized Instructor Certification course, pursuant to CMI Inc., Intoxilyzer 9000, and includes certification requirements for Intoxilyzer 9000 Breath Test Operator,

Agency Inspector, Breath Test Instructor, and associated renewal courses.

Subsection 11B-20.0016(2), F.A.C.: Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271, to add Breath Test-Intoxilyzer 9000 to the instructor certification categories, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Rule 11B-20.0017, F.A.C.: Incorporates the revised Instructor Compliance Application, form CJSTC-84, to add Breath Test-Intoxilyzer 9000 to the list of specialized topics and continuing training and education categories, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Paragraph 11B-20.0017(5)(b), F.A.C.: Updates the rule reference and rule language, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Subsection 11B-20.0017(8), F.A.C.: Updates the rule reference and rule language, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

Subsection 11B-20.0017(9), F.A.C.: Updates the rule reference and rule language to include Breath Test Instructor Renewal Course-Intoxilyzer 9000, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.

**SUMMARY:** Revised Instructor Certification Application, form CJSTC-71; Instructor Competency Checklist, form CJSTC-81; Instructor Certification Deficiency Notification, form CJSTC-271; Instructor Compliance Application, form CJSTC-84; implementation of the CMI Inc., Intoxilyzer 9000; certification requirements for Intoxilyzer 9000 Breath Test Operator, Agency Inspector, Breath Test Instructor, and associated renewal courses; Vehicle Operations Instructor Course; Firearms Instructor Course; and First Responder Instructor Course.

**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.

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:** 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS.

**LAW IMPLEMENTED:** 120.60(1), 943.12(3), (9), 943.13(6), 943.14(3), 943.17 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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.**

(1) No change.

(2) Instructor applicants applying for instructor certification shall:

(a) Complete the Instructor Certification Application, form CJSTC-71, revised August 10, 2023, effective \_\_\_\_\_ ~~August 12, 2021 effective 6/2022~~, hereby incorporated by reference

[https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____)

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-44219>~~

Form CJSTC-71 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615;

(b) through (c) No change.

(3) General Instructor Certification.

(a) Instructor applicants shall comply with the following requirements to obtain General Instructor Certification:

1. through 2. No change.

3. After successful completion of the mandatory instructor training, instructor applicants shall complete an internship.

a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a training center

director or agency administrator, who is currently an instructor, or a designee who is currently an instructor. The training center director, agency administrator, or designee shall complete the Instructor Competency Checklist, form CJSTC-81, revised August 10, 2023, effective \_\_\_\_\_ ~~August 12, 2021, effective 6/2022~~, hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____)

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-44222>~~

Form CJSTC-81 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

b. through c. No change.

4. through 5. No change.

(b) through (c) No change.

(4) through (6) No change.

*Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-20-21, 6-23-22, 8-30-23, \_\_\_\_\_.*

**11B-20.0013 Commission Instructor Certification Categories.**

Except as otherwise provided in this rule section or by law, individuals who instruct training courses pursuant to Rule Chapter 11B-35, F.A.C., at or through a training school, shall be certified by the Criminal Justice Standards and Training Commission. The Commission offers the following categories of certification to instructor applicants:

(1) through (2) No change.

(3) Specialized Instructor Certifications.

(a) through (d) No change.

(e) Breath Test Instructor Certification – Intoxilyzer 9000.

*Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3), 943.17 FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-29-14, \_\_\_\_\_*

**11B-20.0014 Minimum Requirements for High-Liability and Specialized Instructor Certifications.**

(1) High-Liability Topics Instructor Certification. Instructor applicants shall comply with the following requirements for certification:

(a) through (c) No change.

(d) Be evaluated by his or her students. Student evaluation shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator and documented on the Instructor Competency Checklist form CJSTC-81, revised August 10, 2023, effective

~~August 12, 2021, effective 6/2022~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14223>.

(e) through (f) No change.

(2) High-Liability Instructor Topics.

(a) Vehicle Operations Instructor Certification. Instructor applicants who request to obtain certification to instruct vehicle operations topics shall:

1. No change.

2. Have successfully completed through a training school the Vehicle Operations Instructor Course (~~retired 6/30/04~~); and

3. No change.

(b) Firearms Instructor Certification. Instructor applicants who request to obtain certification to instruct firearms topics shall:

1. No change.

2. Have successfully completed through a training school the Firearms Instructor Course (~~retired 6/30/04~~); and

3. No change.

(c) No change.

(d) First Aid Instructor Certification. Instructor applicants who request to obtain certification to instruct in first aid shall:

1. through 2. No change.

3. Have successfully completed through a training school the First Responder Instructor Course (~~retired 6/30/04~~) or First Aid Instructor Course or complete a U.S. Department of Transportation recognized first responder instructor course; and

4. through 6. No change.

(3) Specialized Instructor Certifications. Instructor applicants who apply for a Specialized Instructor Certification shall have completed the applicable specialized instructor course within four years of the date the instructor applicant applies for certification. Instructor applicants who apply for a Specialized Instructor Certification more than four years from the date training was completed shall meet the requirements for completing an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants shall meet the following requirements for each Specialized Instructor Certification requested:

(a) through (c) No change.

(d) Breath Test Instructor Certification. Instructor applicants who request certification to instruct the Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, and the Agency Inspector Renewal Course, pursuant to Rule 11B-35.007, F.A.C., shall:

1. through 2. No change.

3. Have a minimum of three years' experience as a ~~certified~~ permitted breath test operator and agency inspector.

4. through 7. No change.

(e) Breath Test Instructor Certification-Intoxilyzer 9000. Instructor applicants who request certification to instruct the Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and the Agency Inspector Renewal Course-Intoxilyzer 9000, pursuant to Rule 11B-35.007, F.A.C., shall:

1. Possess a General Instructor Certification or be eligible for General Instructor Certification and apply for a General Instructor Certification at the same time the applicant requests a Breath Test Instructor Certification-Intoxilyzer 9000.

2. Successfully complete the Breath Test Instructor Course-Intoxilyzer 9000 and proficiency requirements outlined in paragraph 11B-35.0024(4)(d), F.A.C., through a training school.

3. Have a minimum of three years' experience as a permitted Breath Test Operator-Intoxilyzer 9000 and Agency Inspector-Intoxilyzer 9000.

4. Possess a valid Breath Test Operator-Intoxilyzer 9000 Permit and a valid Agency Inspector-Intoxilyzer 9000 Permit at the time the application for breath test instructor certification is submitted.

5. Successfully complete a Breath Test internship supervised by a certified Breath Test Instructor and document on the Instructor Competency Checklist, form CJSTC-81. An instructor applicant shall instruct in one topic from any of the following courses: Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, or Agency Inspector Renewal Course-Intoxilyzer 9000.

6. Be evaluated by his or her students. Student evaluations shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator, and shall be documented on form CJSTC-81, which shall be maintained in the instructor's file at the training school or agency.

7. Alcohol Testing Program staff shall possess a General Instructor Certification pursuant to subparagraph (3)(e)1. of this rule section, and shall be exempt from the requirements of subparagraphs (3)(e)2.-6. of this rule section.

8. Breath Test Instructors who possess a valid certification prior to December 31, 2023 pursuant to subparagraph (3)(d)1.-6. of this rule section shall be exempt from the requirements of subparagraphs (3)(e)3.-6. of this rule section and shall be granted Breath Test Instructor-Intoxilyzer 9000 certification as well as Breath Test Operator and Agency Inspector Permits upon successful completion of Breath Test Instructor-Intoxilyzer 9000 course outlined in paragraph 11B-35.0024(4)(e).

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.13(6), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 7-9-19, 5-20-21, 6-23-22, 8-30-23, \_\_\_\_\_.

**11B-20.0016 Inspection of Instructor Certification Applications.**

(1) No change.

(2) If the instructor applicant’s file at the training school or agency is missing documentation or contains deficient documentation, the instructor applicant and the training school or agency shall be notified of such documentation on the Instructor Certification Deficiency Notification, form CJSTC-271, revised August 10, 2023, effective \_\_\_\_\_ November 5, 2015, effective 9/2016, hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____) <http://www.flrules.org/Gateway/reference.asp?No=Ref-07390>. Form CJSTC-271 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(3) through (4) No change.

Rulemaking Authority 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 120.60(1), 943.12(3), (9), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 6-9-08, 3-13-13, 7-29-15, 9-4-16, \_\_\_\_\_.

**11B-20.0017 Maintenance and Duration of Instructor Certifications.**

Documentation for instructors shall be maintained in the instructor’s file at the respective training school or agency. Additionally, the training school or agency shall submit or transmit to Commission staff, through the Commission’s ATMS, an Instructor Compliance Application, form CJSTC-84, revised August 10, 2023, effective \_\_\_\_\_ November 5, 2015, effective 9/2016, hereby incorporated by reference

[https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____)

<https://www.flrules.org/Gateway/reference.asp?No=Ref-07387>, to verify compliance with the mandatory retraining requirements. Form CJSTC-84 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(1) through (4) No change.

(5) Specialized Instructor Certification. Instructors who possess a Specialized Instructor Certification shall comply with the following requirements, once during their four-year cycle, to maintain certification:

(a) No change.

(b) Successfully complete continuing education or training approved by the training center director, agency administrator, or designee. Breath Test Instructors shall successfully complete the corresponding Breath Test Instructor Renewal Course and proficiency requirements outlined in Rule 11B-35.0024(4)(f) or (g)(e), F.A.C.

(6) through (7) No change.

(8) Breath Test Instructors who have not met the continuing education requirement required pursuant to paragraph (5)(b) in this rule section, shall successfully complete the corresponding Breath Test Instructor Renewal Course prior to submitting a request for reactivation of their Breath Test Instructor Certification.

(9) Breath Test Instructors who fail the Breath Test Instructor Renewal Course or Breath Test Instructor Renewal Course-Intoxilyzer 9000 shall successfully complete the corresponding Breath Test Instructor Course and proficiency requirements outlined in paragraph 11B-35.0024(4)(d) or (e), F.A.C., through a Commission-certified training school, complete a Breath Test internship, and apply for Breath Test Instructor certification.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 6-23-22, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Bureau Chief Glen Hopkins

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:**

Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:**

March 26, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:**

October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NO.: RULE TITLE:

11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification

PURPOSE AND EFFECT: Paragraph 11B-21.005(4)(a), F.A.C.: Incorporates the revised Driving Range Facility and Equipment Requirements, form CJSTC-202, to remove Chest Seals (2) from the first aid kit requirements.

Subsection 11B-21.005(5), F.A.C.: Incorporates the revised Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, to remove Chest Seals (2) from the first aid kit requirements.

Subsection 11B-21.005(6), F.A.C.: Incorporates the revised Firing Range Facility and Equipment Requirements, form

CJSTC-201, to remove Chest Seals (2) from the first aid kit requirements.

Subsection 11B-21.005(7), F.A.C.: Incorporates the revised First Aid Instructional Requirements, form CJSTC-208, to remove Chest Seals (2) from the first aid kit requirements.

SUMMARY: Revised Driving Range Facility and Equipment Requirements, form CJSTC-202; Defensive Tactics Facility and Equipment Requirements, form CJSTC-203; Firing Range Facility and Equipment Requirements, form CJSTC-201; and First Aid Instructional Requirements, form CJSTC-208.

**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.

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: 943.03(4), 943.12(1), (2) FS. LAW IMPLEMENTED: 943.12(2), (3), (8), 943.14, 943.17(1)(g) 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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification.**

Training Schools certified by the Commission shall comply with the following requirements:

(1) through (3) No change.

(4) Driving Range Facility, Equipment, and Instructor to Student Ratio Requirements.

(a) When conducting Commission-approved vehicle operations training, comply with the driving range facility, equipment, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Driving Range Facility and Equipment Requirements, form CJSTC-202, revised August 10, 2023, effective August 18, 2022, effective 8/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-45519>.

Form CJSTC-202 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(5) Defensive Tactics Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved defensive tactics training, comply with the defensive tactics equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, revised August 10, 2023, effective August 18, 2022, effective 8/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-45520>.

Form CJSTC-203 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(6) Firing Range Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved firearms training, comply with the firing range equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Firing Range Facility and Equipment Requirements, form CJSTC-201, revised August 10, 2023, effective August 18, 2022, effective 8/2023, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-45521>.

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-45518>~~. Form CJSTC-201 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Firearms training shall be supervised directly by a Commission-certified firearms instructor and the instructor shall have access to at least one firearms range designed for criminal justice firearms instruction.

(7) First Aid Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved first aid training, comply with the first aid equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the First Aid Instructional Requirements, form CJSTC-208, revised August 10, 2023, effective \_\_\_\_\_ ~~August 18, 2022, effective 8/2023~~, hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-](https://www.flrules.org/Gateway/reference.asp?No=Ref-45521)

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-45521>~~. Form CJSTC-208 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(8) through (12) No change.

*Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(2), (3), (8), 943.14, 943.17(1)(g) FS. History—New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 9-4-16, 8-15-18, 5-20-21, 6-23-22, 8-30-23, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT**  
**Criminal Justice Standards and Training Commission**

|              |   |
|--------------|---|
| RULE NOS.:   | RULE TITLES:  |
| 11B-27.0011  | Moral Character   |
| 11B-27.00212 | Maintenance of Officer Certification  |
| 11B-27.005   | Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances |
| 11B-27.014   | Implementation of the Federal Law Enforcement Officers Safety Act of 2004   |

PURPOSE AND EFFECT: Sub-paragraph 11B-27.0011(4)(b)1., F.A.C.: Amends current rule language to add

the charge of “introduction of contraband” to the list of misdemeanor moral character violations and associated penalty guideline because statutory changes were made in 2019 and 2020 to reclassify the introduction of written communication, currency or coins, food or clothing, tobacco products, cigarettes, cigars, and any intoxicating beverage from third-degree felonies to first-degree misdemeanors, including the “introduction of a vapor-generating electronic device” into a state correctional facility.

Subsection 11B-27.00212(14), F.A.C.: Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to ensure more uniformity with the remaining high liability forms and reflect the updated requirement of demonstrating proficiency to comply with the firearms standard.

Paragraph 11B-27.00212(16)(a), F.A.C.: Updates the training requirements to “Identifying and Investigating Human Trafficking Training” which resulted from the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session.

Paragraph 11B-27.00212(16)(b), F.A.C.: Updates the training requirements to “Identifying and Investigating Human Trafficking Training” which resulted from the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session.

Paragraph 11B-27.00212(16)(c), F.A.C.: Amends the rule language because the word “officers” was inadvertently omitted previously.

Sub-paragraphs 11B-27.005(5)(a)6.-21., F.A.C.: Modifies and renumbers the list of violations and penalties that constitute felony offenses by removing the felony charge of “other introduction of contraband” into both state prisons and county correctional facilities.

Sub-paragraph 11B-27.005(5)(a)6., F.A.C.: Amends the enumerated penalty guidelines to remove felony charges of “other introduction of contraband” for both state prisons and county correctional facilities.

Sub-paragraph 11B-27.005(5)(b)22., F.A.C.: Adds the enumerated penalty guideline for the misdemeanor moral character violation of “introduction of contraband”.

Sub-paragraph 11B-27.014(2)(c)3., F.A.C.: Updates the requirement of demonstrating proficiency to comply with the firearms standard as noted on the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A.

SUMMARY: Updated “introduction of contraband” charge; training requirements to “Identifying and Investigating Human Trafficking Training”; and revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A.

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.

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: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12, 943.12(3), 943.13(7), (11), 943.132, 943.135, 943.1395(3), (7), (8), 943.1701, 943.1715, 943.1716, 943.253 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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-27.0011 Moral Character.**

(1) through (3) No change.

(4) For the purposes of the Criminal Justice Standards and Training Commission's implementation of any of the penalties specified in Section 943.1395(6) or (7), F.S., a certified officer's failure to maintain good moral character required by Section 943.13(7), F.S., is defined as:

(a) No change.

(b) Except as otherwise provided in Section 943.13(4), F.S., a plea of guilty, an adjudication of guilt, or a verdict of guilty after a criminal trial for any of the following misdemeanor or criminal offenses, notwithstanding any suspension of sentence or withholding of adjudication, or the perpetration by an officer of an act that would constitute any of the following misdemeanor or criminal offenses whether criminally prosecuted or not:

1. Sections 316.193, 316.1939, 327.35, 365.16(1)(c),(d), 414.39, 499.03, 741.31, 784.011, 784.03, 784.047, 784.048, 784.05, 784.049(3)(a), 784.046(15), 790.01, 790.10, 790.15, 790.27, 794.027, 796.07, 800.02, 800.03, 806.101, 806.13, 810.08, 810.14, 812.014, 810.145, 812.015, 812.14, 817.235, 817.49, 817.563, 817.565, 817.61, 817.64, 827.04, 828.12, 831.30, 831.31(1)(b), 832.05, 836.12(2), 837.012, 837.05, 837.055, 837.06, 839.13, 839.20, 843.02, 843.03, 843.06, 843.085, 847.011, 856.021, 870.01, 893.13, 893.147, 901.36, 914.22, 934.03, 934.425, 944.35, 944.37, ~~and 944.39, 944.47,~~ and 951.22, F.S.

2. through 3. No change.

(c) through (d) No change.

(5) through (7) No change.

*Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 8-15-18, 5-5-20, 6-26-22, \_\_\_\_\_.*

**11B-27.00212 Maintenance of Officer Certification.**

(1) through (13) No change.

(14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement officer shall be required to qualify on the Commission's approved course of fire with the proficiency skills documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised August 10, 2023, effective \_\_\_\_\_ August 8, 2019, effective 4/2020, hereby incorporated by reference [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11904>~~, and maintained in the officer's employment file. Form CJSTC-86A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) through (e) No change.

(15) No change.

(16) Identifying and Investigating Human Trafficking Training. As a part of an officer's continuing education or training, a law enforcement officer shall be required to



complete four (4) hours of training on identifying and investigating human trafficking.

(a) All law enforcement officers ~~who were certified on or before July 1, 2021,~~ shall complete the Commission-approved four (4) hour course developed pursuant to s. 943.17297, F.S., on or before July 1, 2022 pursuant to s. 943.17297, F.S. The course is published pursuant to Rule 11B-35.001(8), F.A.C.

(b) All law enforcement officers who complete a law enforcement basic recruit training program which began ~~and were certified~~ on or after July 1, 2021, shall have met this requirement. ~~complete the Commission-approved four (4) hour course developed pursuant to s. 943.17297, F.S., within one (1) year after beginning employment pursuant to s. 943.17297, F.S.~~ The course is published pursuant to Rule 11B-35.001(8), F.A.C.

(c) Law enforcement officers who complete any Commission-approved course, which is developed in compliance with s. 943.17297, F.S., shall have satisfied this training requirement.

(d) through (e) No change.

(17) through (18) No change.

*Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History—New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22, 8-30-23, \_\_\_\_\_, Editorial Note: See 11B-27.0023, F.A.C.*

**11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.**

(1) through (4) No change.

(5) When the Commission finds that a certified officer has committed an act that violates Section 943.13(7), F.S., the Commission shall issue a final order imposing penalties within the ranges recommended in the following disciplinary guidelines:

(a) For the perpetration by the officer of an act that would constitute any felony offense, pursuant to paragraph 11B-27.0011(4)(a), F.A.C., but where there was not a violation of Section 943.13(4), F.S., the action of the Commission shall be to impose a penalty ranging from suspension of certification to revocation. Specific violations and penalties that shall be imposed, absent mitigating circumstances, include the following:

1. through 5. No change.

|    | <b>Violation</b>  | <b>Recommended Penalty Range</b>    |
|----|---|-------------------------------------|
| 6. | <del>Other introduction of contraband into a jail or prison (Sections 944.47, 951.22, F.S.)</del> | <del>Suspension to revocation</del> |

|                       |  |  |
|-----------------------|--|--|
| <del>6.</del><br>7.   | False Statements (Sections 837.02, 837.021, 837.05(2), 838.022, 839.13(2), F.S.)                                       | Prospective Suspension to revocation                               |
| <del>7.</del><br>8.   | Felony stalking, Sexual Cyberharassment (Section 784.048, 784.049(3)(b), F.S.)   | Revocation   |
| <del>8.</del><br>9.   | Sexual battery, unlawful sexual activity with a minor (Sections 794.011, 794.05, F.S.)                                 | Revocation   |
| <del>9.</del><br>10.  | Lewd or lascivious offense, child under 16 (Section 800.04, F.S.)  | Revocation   |
| <del>10.</del><br>11. | Child abuse (Section 827.03, 827.071, F.S.)  | Prospective suspension to revocation                               |
| <del>11.</del><br>12. | Aggravated child abuse with violence (Section 827.03, F.S.)  | Revocation   |
| <del>12.</del><br>13. | Resisting an officer with violence (Section 843.01, F.S.)  | Prospective suspension to revocation                               |
| <del>13.</del><br>14. | Felony controlled substance violation (Sections 893.13, 893.135, 893.147, 893.149, F.S.)                               | Revocation   |
| <del>14.</del><br>15. | Bribery (Section 838.015, F.S.)  | Revocation   |
| <del>15.</del><br>16. | Unlawful compensation or reward for official behavior (Section 838.016, F.S.)  | Revocation   |
| <del>16.</del><br>17. | Video Voyeurism  | Prospective suspension and probation with counseling to revocation |
| <del>17.</del><br>18. | Felony threats (Section 836.12(3), F.S.)   | Revocation   |
| <del>18.</del><br>19. | Sexual Misconduct (944.35(3)(b)(2) F.S.)   | Revocation   |
| <del>19.</del><br>20. | Possession of Certain Drugs without Prescriptions with the intent to sell, dispense, or deliver (Section 499.03, F.S.) | Prospective suspension to revocation                               |

|           |   |                                      |
|-----------|---|--------------------------------------|
| 20<br>24. | Obscenity (Section 847.011(1)(c), 847.011(5), 847.0135, 847.0145, F.S.) | Prospective suspension to revocation |
|-----------|---|--------------------------------------|

(b) For the perpetration by the officer of an act that would constitute any of the misdemeanor offenses, pursuant to paragraph 11B-27.0011(4)(b), F.A.C., but where there was not a violation of Section 943.13(4), F.S., the action of the Commission shall be to impose a penalty ranging from probation of certification to suspension of certification. Specific violations and penalties that shall be imposed, absent aggravating or mitigating circumstances, include the following:

1. through 21. No change.

|     | Violation   | Recommended Penalty Range |
|-----|---|---------------------------|
| 22. | Introduction of Contraband (Sections 944.47 and 951.22, F.S.) | Suspension to revocation  |

(c) through (d) No change.

(6) through (12) No change.

*Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.1395(8) FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 5-29-14, 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22,\_\_\_\_\_.*

**11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.**

(1) No change.

(2) Requirements for administering the course of fire are as follows:

(a) through (b) No change.

(c) The range master shall maintain the following documentation that is related to the completion of the course of fire for each retiree who successfully completes the course, and the retained documentation shall be subject to audit during regular business hours upon a two-day written notice by Commission staff:

1. through 2. No change.

3. The Course of Fire Proficiency Score. A passing score is a minimum score of ~~80%~~, which is ~~33~~ ~~32~~ of ~~38~~ ~~40~~ rounds in the scoring area using a commercially produced B-21E target or equivalent Pride Enterprises (P.R.I.D.E.) target. The scoring shall be any hit that is inside or touches the exterior scoring line of the four and five zone of the B-21E target.

4. through 7. No change.

(3) through (6) No change.

*Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History—New 3-3-08, Amended 6-3-10, 3-13-13, 7-9-19, 5-5-20,\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Glen Hopkins

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

|             |   |
|-------------|---|
| RULE NOS.:  | RULE TITLES:  |
| 11B-35.001  | General Training Programs; Requirements and Specifications  |
| 11B-35.0021 | Courses and Requirements for Basic Recruit Training, Advanced, Specialized and Instructor Training Requiring Proficiency Demonstration  |
| 11B-35.0024 | Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration. |
| 11B-35.007  | Specialized Training Program  |
| 11B-35.009  | Exemption from Basic Recruit Training   |

PURPOSE AND EFFECT: Subsection 11B-35.001(5), F.A.C.: Removes the reference to “paper” copies of the Basic Recruit Training Curriculum to allow training centers the option of providing PDFs/electronic copies, since the Florida Department of Corrections is piloting a program to provide recruits with tablets that have the digital textbooks preloaded.

Subsection 11B-35.0021(4), F.A.C.: Reformats Rule 11B-35.0021(4), F.A.C., to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, to the list of specialized instructor courses.

Paragraph 11B-35.0021(4)(c), F.A.C.: Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117 as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0021(4)(e), F.A.C.: Adds the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Subsection 11B-35.0021(6), F.A.C.: Reformats Rule 11B-35.0021(6), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (b).

Paragraph 11B-35.0021(6)(b), F.A.C.: Retires and removes the Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Paragraph 11B-35.0021(8)(a), F.A.C.: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Paragraph 11B-35.0021(8)(b), F.A.C.: Corrects the spelling to change “in route” to “en route”.

Subsection 11B-35.0024(3), F.A.C.: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

Paragraph 11B-35.0024(3)(e), F.A.C.: Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum; and repeals the Firearms Handling Performance Evaluation, form CJSTC-21, because it is only used with the Safe Handling of Firearms Course, number 2007.

Paragraphs 11B-35.0024(3)(e)-(i), F.A.C.: Reformats Rule 11B-35.0024(3)(e)-(i), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (e).

Subsection 11B-35.0024(4), F.A.C.: Adds the following Breath Intoxilyzer 9000 courses in which individuals are required to demonstrate proficiency skills in basic recruit, advanced, specialized instructor, or specialized training program courses: Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector Renewal Course-Intoxilyzer 9000.

Sub-paragraph 11B-35.0024(4)(d)2., F.A.C.: Incorporates the Breath Test Instructor Performance, form CJSTC-17, to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of the CMI Inc., Intoxilyzer 9000.

Paragraphs 11B-35.0024(4)(e)-(s), F.A.C.: Reformats Rule 11B-35.0024(4)(e)-(s), F.A.C., to add Breath Test Intoxilyzer 9000 courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(e), F.A.C.: Adds Breath Test Instructor Course-Intoxilyzer 9000, number 1117, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(g), F.A.C.: Adds Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(h), F.A.C.: Incorporates the revised Breath Testing Course Performance, form CJSTC-14, to update rule reference and add Breath Test Operator Course-Intoxilyzer 9000, number 852; Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952; Agency Inspector Course-Intoxilyzer 9000, number 853; and Agency Inspector Renewal

Course-Intoxilyzer 9000, number 953, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(i), F.A.C.: Adds Breath Test Operator Course-Intoxilyzer 9000, number 852, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(k), F.A.C.: Adds Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(m), F.A.C.: Adds Agency Inspector Course-Intoxilyzer 9000, number 853, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraph 11B-35.0024(4)(o), F.A.C.: Adds Agency Inspector Course-Intoxilyzer 9000, number 853, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

Paragraphs 11B-35.007(1)(b)-(c), F.A.C.: Updates the rule references.

Subsection 11B-35.009(7), F.A.C.: Updates the High-Liability Basic Recruit Training proficiency skills requirements to include “identifying and investigating human trafficking” pursuant to the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session as it relates to Equivalency of Training applicants.

SUMMARY: Updated Basic Recruit Training Curriculum; implementation of the CMI Inc., Intoxilyzer 9000; certification requirements for Intoxilyzer 9000 Breath Test Operator, Agency Inspector, Breath Test Instructor, and associated renewal courses; spelling correction; retired Safe Handling of Firearms course, number 2007; repealed Firearms Handling Performance Evaluation, form CJSTC-21; revised Breath Test Instructor Performance, form CJSTC-17; revised Breath Testing Course Performance, form CJSTC-14; updated rule references; and updated High-Liability Basic Recruit Training proficiency skills requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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: 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS.

LAW IMPLEMENTED: 943.12, 943.12(5), 943.131(2), 943.17, 943.175, 943.25 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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-35.001 General Training Programs; Requirements and Specifications.**

(1) through (4) No change.

(5) The training center director shall ensure that each student is provided with a ~~paper~~ copy of the Commission’s currently approved Basic Recruit Training Curriculum applicable to the student’s enrollment prior to or at the beginning of the program.

(6) through (16) No change.

*Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21, 6-23-22, 8-30-23, \_\_\_\_\_.*

**11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration.**

(1) through (3) No change.

(4) Specialized Instructor Courses:

(a) through (b) No change.

(c) Breath Test Instructor Course-Intoxilyzer 9000, number 1117.

~~(d)(e)~~–Breath Test Instructor Renewal Course, number 1111.

(e) Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

~~(f)(d)~~–Canine Team Training Instructor Course, number 1199.

(5) No change.

(6) Specialized Training Program Courses: Canine Team Training Course, number 1198.

~~(a) Canine Team Training Course, number 1198.~~

~~(b) Safe Handling of Firearms course, number 2007.~~

(7) No change.

(8) Instructor to student ratios for instruction of proficiency skills in High-Liability Basic Recruit Training Program Courses, DUI Traffic Stops, High-Liability Instructor Training Courses, Specialized Instructor Courses, Advanced Training Program Courses, and Specialized Training Program Courses, requiring proficiency demonstration.

(a) For instruction of the Criminal Justice Firearms Course ~~and~~–Firearms Instructor Course, ~~or Safe Handling of Firearms course~~, there shall be no more than six students actively engaged on a firearms range for each Commission-certified firearms instructor. One rangemaster shall supervise all range activity while training is actively engaged. The rangemaster shall be a Commission-certified firearms instructor and shall not be included as an instructor to comply with the instructor to student ratio requirements. Discretionary course of fire shall be conducted with a one-to-one instructor to student ratio. Actively engaged is defined as “a student on the firing range handling a weapon.”

(b) For instruction of the Law Enforcement Vehicle Operations Course or Vehicle Operations Instructor Course, there shall be at least one Commission-certified vehicle operations instructor for each vehicle actively engaged on a driving range. One rangemaster shall supervise all range activity while training is actively engaged. Actively engaged is defined as “a vehicle that is at the point between the start and end of an exercise.” Returning from or being ~~en~~ en route to a driving range or course shall not be considered as actively engaged. The rangemaster shall be a Commission-certified vehicle operations instructor and shall not be included as an instructor to comply with the instructor to vehicle ratio requirements.

(c) through (j) No change.

*Rulemaking Authority 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS. Law Implemented 943.12(5), 943.17 FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, \_\_\_\_\_.*

**11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration.**

(1) through (2) No change.

(3) Successful completion and demonstration of proficiency skills is required for each of the following high-liability courses: Criminal Justice Defensive Tactics Course, Defensive Tactics Instructor Course, Criminal Justice Firearms Course, Firearms Instructor Course, ~~Safe Handling of Firearms course~~, Law Enforcement Vehicle Operations Course, Vehicle Operations Instructor Course, First Aid for Criminal Justice Officers Course, and First Aid Instructor Course.

(a) through (d) No change.

~~(e) Safe Handling of Firearms course. A student enrolled in the Safe Handling of Firearms course shall achieve a score of 80% on the required written end of course examination. Students shall demonstrate all Firearms Handling Proficiency Skills for the safe handling of handguns (both revolver and semiautomatic pistol) and long guns (both shotgun and semiautomatic rifle/carbine) at 100%. The results shall be recorded on the required Firearms Handling Performance Evaluation form CJSTC 21, created November 6, 2014, effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-05627>. Form CJSTC 21 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC 21 shall be maintained in the student or course file.~~

~~(e)(f)~~ First Aid for Criminal Justice Officers Course.

1. through 2. No change.

~~(f)(g)~~ First Aid Instructor Course.

1. through 2. No change.

~~(g)(h)~~ Law Enforcement Vehicle Operations Course.

1. through 2. No change.

~~(h)(i)~~ Vehicle Operations Instructor Course.

1. through 2. No change.

(4) Successful completion and demonstration of proficiency skills is required for each of the following basic recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed Measurement Course, Speed Measurement Instructor Course, Breath Test Instructor Course, Breath Test Instructor Renewal Course, Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course, Breath Test Operator Renewal Course, Breath Test Operator Course-Intoxilyzer 9000, Agency Inspector Course, Agency Inspector Renewal Course, Agency Inspector Course-Intoxilyzer 9000, Agency Inspector Renewal Course-Intoxilyzer 9000, Underwater Police Science and Technology course, Canine Team Training Course, and Canine Team Training Instructor Course.

(a) through (c) No change.

(d) Breath Test Instructor Course, number 1110.

1. No change.

2. An instructor applicant shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Breath Test Instructor Performance form CJSTC-17, revised August 10, 2023, effective \_\_\_\_\_ created and Commission approved December 16, 2010 (effective 3/2013), hereby incorporated by reference

<http://www.flrules.org/Gateway/reference.asp?No=Ref-02325>.

Form CJSTC-17 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(e) Breath Test Instructor Course-Intoxilyzer 9000, number 1117.

1. An instructor student shall complete the Breath Test Instructor Course-Intoxilyzer 9000 requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector Renewal Course-Intoxilyzer 9000.

2. An instructor applicant shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

~~(f)(e)~~ Breath Test Instructor Renewal Course, number 1111.

1. through 2. No change.

(g) Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.

1. An instructor student shall complete the Breath Test Instructor Renewal Course-Intoxilyzer 9000 requirements pursuant to rule 11B-20.0017, F.A.C., to satisfy the continuing education requirements for a Breath Test Instructor Certification.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-17. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

~~(h)(f)~~ Breath Test Operator Course, number 851. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required

proficiency skills at 100%, with the results recorded on the required Breath Testing Course Performance form CJSTC-14, revised August 10, 2023, effective \_\_\_\_\_, created and Commission approved December 16, 2010 (effective 3/2013), hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____)

<https://www.flrules.org/Gateway/reference.asp?No=Ref-02324>. Form CJSTC-14 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(i) Breath Test Operator Course-Intoxilyzer 9000, number 852. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(j)(g) Breath Test Operator Renewal Course, number 951. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(k) Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file

(l)(h) Agency Inspector Course, number 850. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(m) Agency Inspector Course-Intoxilyzer 9000, number 853. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file

(n)(i) Agency Inspector Renewal Course, number 950. A student shall achieve a score of no less than 80% on the required

written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(o) Agency Inspector Renewal Course-Intoxilyzer 9000, number 953. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required form CJSTC-14. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(p)(j) Underwater Police Science and Technology course number 077. A student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Criminal Justice Diver Performance Evaluation form CJSTC-19, revised November 6, 2014, effective 7/2015, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-05623>. Form CJSTC-19 can be obtained at the following FDLE Internet Address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original shall be maintained in the course file.

(q)(k) Canine Team Training Course number 1198. A handler shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Canine Team Performance Evaluation form CJSTC-83, revised November 5, 2015, effective 9/2016, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-07386>. Form CJSTC-83 can be obtained at the following FDLE Internet Address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original maintained in the course file.

(r)(l) Canine Team Training Instructor Course number 1199.

1. through 2. No change.

(s)(m) Role-play Scenarios for Facilitative Learning course number 2001. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination.

*Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 5-5-20, 5-20-21, 6-23-22, 8-30-23, \_\_\_\_\_.*

**11B-35.007 Specialized Training Program.**

(1) The Commission’s Specialized Training Program may be used by training schools and consist of the following Commission-approved:

- (a) No change.
  - (b) Specialized Instructor Training Courses, pursuant to subsection ~~(4)(3)~~ of this rule section; and
  - (c) Specialized Training Program Courses, pursuant to subsection ~~(5)(4)~~ of this rule section.
- (2) through (7) No change.

*Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.175, 943.25 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 8-15-18,*

**11B-35.009 Exemption from Basic Recruit Training.**

(1) through (6) No change.

(7) High-Liability Basic Recruit Training proficiency skills requirements for out-of-state, federal, or inactive Florida officers. Prior to applying for certification, an out-of-state or federal officer, or inactive Florida officer, who is exempt from completing a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S., shall demonstrate proficiency in the required High-Liability Basic Recruit Training Proficiency Skills of vehicle operations, firearms, defensive tactics, and first aid, pursuant to Rule 11B-35.0024, F.A.C., for the discipline for which certification is sought and for the law enforcement discipline, complete Commission-approved training in recognition of and response to head trauma and brain injury in a child under 6 years of age; identifying and investigating human trafficking; sexual assault investigations; and elder abuse investigations. Such officers shall achieve a passing score on the State Officer Certification Examination, pursuant to Rule 11B-30.0062, F.A.C., and paragraph 11B-30.008, F.A.C. Demonstration of proficiency in the required High-Liability Basic Recruit Training Proficiency Skills and passing the State Officer Certification Examination shall be completed within one year after notification of approval of the Exemption-From-Training form CJSTC-76. Individuals who do not complete the required demonstration of proficiency in the High-Liability Basic Recruit Training Proficiency Skills and achieve a passing score on the State Officer Certification Examination within one year, are permitted to apply for another exemption from training, pursuant to Section 943.131(2), F.S., provided they meet the eligibility requirements outlined in Section 943.131(2), F.S. Upon demonstration of proficiency in the required High-Liability Basic Recruit Training Proficiency Skills, the training school shall complete an Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, revised August 2, 2018, effective 7/2019, hereby incorporated

by reference  
<https://www.flrules.org/Gateway/reference.asp?No=Ref-10755>, and provide a copy to the officer of form CJSTC-76A. Form CJSTC-76A can be obtained at the following FDLE Internet address:  
<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The training center director or designee shall, within thirty days of course completion, electronically transmit a completed Training Report form CJSTC-67 through the Commission’s ATMS, or submit an updated form CJSTC-67.

(8) through (11) No change.  
*Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.131(2) FS. History—New 1-2-97, Amended 7-7-99, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 6-23-22, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bureau Chief Glen Hopkins  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT  
 Division of Criminal Justice Information Systems**

RULE NOS.:      RULE TITLES:  
 11C-6.004      Procedures for Requesting Criminal History Records  
 11C-6.005      Access to Criminal Justice Information for Research or Statistical Purposes  
 11C-6.009      Sale and Delivery of Firearms  
 PURPOSE AND EFFECT: 11C-6.004: Updating the rule to reflect the current version of the VECHS Qualified Entity Application form.  
 11C-6.005: Updating the rule to include email as an option for persons to submit research or statistical requests.  
 11C-6.009: Updating the rule to reflect current version of the ATF 4473 form, correcting the revision date of Firearm Appeal form referenced in rule, and updating rule text to reflect current business processes.  
 SUMMARY: Criminal history records and updates to forms referenced in rule  
 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.

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: 943.03(4), 943.053(1), 943.053(3), 943.0542, 943.056, 943.057, 790.065, FS.

LAW IMPLEMENTED: 943.053(3), 943.0542, 943.056, 119.07, 943.0525, 943.053, 943.057, 790.065, 790.0655. 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: Monday, April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Truxell at 850-410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11C-6.004 Procedures for Requesting Criminal History Records.**

(1) – (3) No change.

(4) Entities applying to the Florida Department of Law Enforcement to be qualified to receive criminal history records under the National Child Protection Act of 1993, as amended, must first complete and submit the following documents to the Florida Department of Law Enforcement, in accordance with the instructions provided: VECHS Qualified Entity Application – Volunteer & Employee Criminal History System (NCPA 1; Rev. ~~May 2023~~ ~~October 2022~~). Entities that are qualified through the Florida Department of Law Enforcement to receive criminal history records under the National Child Protection Act must have their employees, volunteers, contractors, and

vendors submit fingerprints electronically for each person to the Florida Department of Law Enforcement for each request for a criminal history record check. An employee means any person who receives remuneration from an employer for the performance of any work or service while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral or written, this includes, persons who are being paid by the qualified entity as a contractor, a subcontractor, or a business or individual providing services as a vendor, shall qualify as an employee for this purpose. A volunteer shall be defined as any person who, of his or her own free will, provides goods or services, to any qualified entity, with no monetary or material compensation. Qualified entities that release to another qualified entity any criminal history record information received pursuant to the National Child Protection Act must complete and maintain the following document, in accordance with the instructions provided: VECHS Dissemination Log – Volunteer & Employee Criminal History System (NCPA 4, Rev. December 2021, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15825>). These forms are incorporated by reference.

*Rulemaking Authority 943.03(4), 943.053(3), 943.0542, 943.056 FS. Law Implemented 943.053(3), 943.0542, 943.056 FS. History—New 12-30-76, Amended 11-7-83, Formerly 11C-6.04, Amended 9-1-88, 4-1-93, 7-7-99, 8-22-00, 7-29-01, 12-3-03, 6-9-08, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 9-4-16, 7-19-17, 8-15-18, 7-6-22, 8-30-23, \_\_\_\_\_.*

**11C-6.005 Access to Criminal Justice Information for Research or Statistical Purposes.**

(1) No change.

(2)(a) All requests shall be made in writing and directed to: Florida Department of Law Enforcement  
Division of Criminal Justice Information Services  
Director’s Office  
Post Office Box 1489  
Tallahassee, Florida 32302-1489  
Or shall be submitted electronically to: FSAC@fdle.state.fl.us

(b) All requests shall contain the name, address, and telephone number of the applicant; a brief summary of the project; the type of criminal justice information desired; and the intended use for the criminal justice information.

(3) – (9) No change.

*Rulemaking Authority 943.03(4), 943.053(1), 943.057 FS. Law Implemented 119.07, 943.0525, 943.053, 943.057 FS. History—New 11-12-81, Formerly 11C-6.05, Amended 7-7-99, \_\_\_\_\_.*

**11C-6.009 Sale and Delivery of Firearms.**

(1) For a federally licensed firearm dealer (including licensed firearm importers, licensed firearm manufacturers and licensed firearm dealers pursuant to Title 27, C.F.R., Part 178) to complete a firearm transaction to another person, other than



a licensed importer, licensed manufacturer, licensed dealer or licensed collector, a United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms (ATF) form ATF F-4473 [5300.9] (~~August 2023~~ ~~May 2020~~) (Firearms Transaction Record) incorporated here by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09688>, must be completed. These forms are available from the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153. The completion of the ATF F-4473 [5300.9] (~~August 2023~~ ~~May 2020~~) form must comply with Title 27, C.F.R. Part 178, Section 178.124, and with Section 790.065, F.S.

(2) Section B of the ATF F-4473 [5300.9] (~~August 2023~~ ~~May 2020~~) form must be completed by the potential buyer or transferee. The dealer must ensure that Section B is completed by the buyer prior to the dealer contacting the Florida Department of Law Enforcement (FDLE). In addition to the above requirements, the social security number of the potential buyer or transferee may be recorded in the Social Security Number block of ATF F-4473 [5300.9] Section B (~~August 2023~~ ~~May 2020~~) form. The dealer is required to advise the potential buyer that the disclosure of his or her social security number is voluntary, of the authority for the disclosure, and of the use to be made of the number.

(3) – (4) No change.

(5) Using the provided toll-free telephone number or by other electronic means in addition to the telephone, the dealer must contact FDLE immediately prior to each transaction involving the transfer of one or more firearms to obtain an approval number to complete the firearm transaction. The dealer will provide the dealer's identification number and all identification data of the potential buyer/transferee as contained on ATF form F-4473 [5300.9] Section B (~~August 2023~~ ~~May 2020~~) to FDLE.

(6) Based on the status of the criminal history record, FDLE will provide an approval or non-approval number to the dealer during the call ~~when possible or by return call~~ or within the specified time frame as contained in Sections 790.065 and 790.0655, F.S. Unless compliance with the requirements of this section is excused as provided in Section 790.065(10), F.S., if the dealer has not received an approval or non-approval number from FDLE within the time frame specified, the dealer must contact FDLE to inquire about the status of the request for approval, prior to completing the transaction. The approval number is valid for a single transaction and for a period not to exceed thirty calendar days after receipt of the number. Multiple firearms may be transferred in this transaction.

(7) The dealer will record the decision and number provided by FDLE in the NICS or State transaction number block and in the box in the top right corner labeled, Transferor's/Seller's Transaction ~~Serial~~ Number of ATF form F-4473 (5300.9) Section C (~~August 2023~~ ~~May 2020~~). When the

transaction is approved, the dealer should complete Section C ~~B~~ of the ATF form F-4473.

(8) To any potential buyer or transferee intending to formally appeal a non-approval decision, the dealer will provide a Firearm Purchase Program Non-Approval Appeal Form (form number FDLE 40-020, Rev. ~~July~~ ~~August~~ 2019), incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-11933>, and on file with Secretary of State, that must be completed by the dealer and the potential buyer or transferee. The potential buyer or transferee must take the form to a law enforcement agency, be fingerprinted there, and return the Firearm Purchase Program Non-Approval Appeal form and fingerprints to FDLE within 60 calendar days. Using the procedures as described in Chapter 11C-8, F.A.C., FDLE will process the formal appeal request. A ~~copy supply~~ copy of the appeal forms can be found on the FDLE website at <https://www.fdle.state.fl.us/FPP/Documents/Appeal-Form.aspx> or will be provided by FDLE to dealers upon request. Such requests should be directed to:

Florida Department of Law Enforcement  
Firearm Eligibility Bureau ~~Purchase Program~~  
Post Office Box 1489

Tallahassee, Florida 32302-1489

Telephone Number: (850)410-8139

Email: [FPP@fdle.state.fl.us](mailto:FPP@fdle.state.fl.us)

As an alternative to this procedure, if the non-approval is based on an erroneous record provided by the FBI, the potential buyer or transferee may at any time appeal his non-approval directly to the FBI, as authorized by Title 28, C.F.R., Section 25.10.

(9) – (12) No change.

(13) All records where the transfer was approved must be maintained by dealers for 20 years as required by Title 27, C.F.R., Part 178. All records where the transfer was non-approved must be kept by dealers in a secure area and kept confidential for five (5) years. This would include the dealer's copy of the ATF Form F-4473 [5300.9] (~~August 2023~~ ~~May 2020~~) where the transfer of a firearm was non-approved. Records must be made available to federal, state, county and municipal law enforcement agencies in connection with their official duties upon request during business hours or other reasonable times if the dealer has no regular business hours.

(14) – (19) No change.

(20) Any questions regarding these procedures for the sale and delivery of firearms or appeal of non-approval should be directed to:

Florida Department of Law Enforcement  
Firearm Eligibility Bureau ~~Purchase Program~~  
Post Office Box 1489

Tallahassee, Florida 32302-1489

Telephone Number: (850)410-8139

Email: [FPP@fdle.state.fl.us](mailto:FPP@fdle.state.fl.us)

Rulemaking Authority 790.065, 943.03(4) FS. Law Implemented 790.065, 790.0655 FS., Title 18, U.S.C., Chapter 44, and Title 27, C.F.R., Part 178. History—New 6-2-91, Amended 7-7-99, 8-22-00, 12-18-00, 11-5-02, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 8-30-23, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Director Lucy Saunders  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT**  
**Division of Local Law Enforcement Assistance**

RULE NOS.:      RULE TITLES:  
 11D-6.001      Definitions  
 11D-6.003      Procedures

PURPOSE AND EFFECT: 11D-6.001: Defines “Rapid DNA Booking Device” and “Rapid DNA Analysis.”

11D-6.003: Amends procedures related to “Rapid DNA Analysis.”

SUMMARY: Revises definitions and procedures regarding “Rapid DNA Analysis.”

**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.

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: 120.60(1), 943.03(4), 943.325(4), (5), (17).

LAW IMPLEMENTED: 943.325, 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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law

Enforcement, Office of General Counsel, 2331 Phillips Road, Tallahassee, Florida 32308.. 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: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law

Enforcement, Office of General Counsel, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11D-6.001 Definitions.**

As used in Rule 11D-6.003, F.A.C., the following definitions apply:

(1) “DNA sample” means a buccal or other approved biological specimen capable of undergoing DNA analysis.

(2) “Buccal sample” shall mean epithelial cells collected from the cheek in the oral cavity utilizing an FDLE-approved swab collection kit.

(3) “Other approved biological specimen” shall mean a specimen of whole blood, at least 7 cc in volume.

(4) “Qualifying Offender” shall mean a person as specified in section 943.325(2), 943.325(9), 947.1405(7)(a) or 948.30(1), F.S.

(5) “Labels” shall mean shipping labels provided by the Department for the return of DNA sample collection kits.

(6) FALCON is Florida’s Integrated Criminal History System. This system allows for the biometric identification of criminal subjects.

(7) “Rapid-ID Edge Device” shall mean an electronic fingerprint device attached to “FALCON” and available to criminal justice agencies within the state. This device and accompanying software allows agencies responsible for sample collection to determine if a qualifying offender DNA sample is on file, or if collection of the sample is required.

(8) “Rapid DNA booking device” shall mean a fully automated system, approved for use at NDIS by law enforcement booking agency, to produce a CODIS acceptable DNA profile from an arrestee buccal swab without human interpretation in under two hours.

(9) “Rapid DNA Analysis” shall mean a fully automated process of developing a CODIS acceptable DNA profile from a buccal sample without human interpretation. This type of analyses provides a proper procedure, including requisite

identification information, for state and local law enforcement and correctional agencies to collect and submit DNA samples to be maintained in the statewide DNA database.

*Rulemaking Authority 943.03(4), 943.325(4), (5), (17) FS. Law Implemented 943.325 FS. History—New 7-4-90, Amended 7-6-99, 8-22-00, 11-5-02, 3-21-07, 6-3-10, 3-13-13, \_\_\_\_\_.*

**11D-6.003 Procedures.**

(1) DNA Sample collection.

(a) A qualifying offender providing DNA samples must be identified in the manner specified by the Oral Swab Collection Kit Instructions and Form FDLE/FOR-005, revised September 2022~~2015~~, and incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08461>, prior to taking the DNA samples from such offender. Form FDLE/FOR-005 and additional kits may be obtained from the Florida Department of Law Enforcement, DNA Database, Post Office Box 1489, Tallahassee, Florida 32302-1489. A qualifying offender may also be identified through use of the Falcon Rapid-ID Edge device or during the process of Rapid DNA Analysis.

1. DNA samples submitted from qualifying offenders without the use of the Falcon Rapid-ID Edge device must be accompanied by a completed Swab Collection Kit form FDLE/FOR-005. The imprinting of the offender’s left and right thumbs, by means of an inked impression, in the spaces indicated on the form shall be completed as well. Inked fingerprint impressions must be legible for fingerprint classification and comparison purposes. DNA samples accompanied by one or more illegible inked fingerprint impressions will be unacceptable for entry into the DNA Database and will be rejected by FDLE. The collecting agency must then submit a new DNA sample and completed form.

2. DNA sSamples submitted from qualifying offenders through use of the FALCON Rapid-ID Edge device must be accompanied by the printout and barcode generated by the application. Any required information not captured by the Falcon/Rapid-ID DNA Availability application shall be filled out on the Swab Collection Kit form FDLE/FOR-005.

3. DNA samples submitted from qualifying offenders and processed through the use of Rapid DNA Analysis shall include the submission of an additional DNA sample taken and accompanied by the printout and barcode generated by the application. Any required information not captured by the Falcon/Rapid-ID DNA Availability application shall be filled out on the Swab Collection Kit form FDLE/FOR-005.

(b) When identification of the qualifying offender is accomplished, DNA samples shall be taken from the qualifying offender in the manner described in section 943.325(3), F.S.

(c) Such samples shall be taken using only the Oral Swab Collection Kit pursuant to paragraph (1)(a) of this rule section.

(d) Collection, labeling, storage, handling, and transmittal of DNA Samples shall be as prescribed in the printed instructions included with each oral swab sample collection kit. The collecting agency should forward DNA samples to the Department within 7 working days of collection.

(2) Removal of DNA Information from the DNA Database. Persons seeking removal of their DNA information from the DNA Investigative Support Database shall mail certified copies of the required documentation as described in section 943.325(16), F.S., to the FDLE DNA Investigative Support Database, P.O. Box 1489, Tallahassee, Florida 32302-1489.

*Rulemaking Authority 943.03(4), 943.325(4), (5), (17) FS. Law Implemented 943.325 FS. History—New 7-4-90, Amended 7-6-99, 8-22-00, 7-29-01, 11-5-02, 6-3-10, 3-13-13, 7-19-17, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bureau Chief Chris Carney

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**DEPARTMENT OF LAW ENFORCEMENT  
Division of Local Law Enforcement Assistance**

RULE NOS.:      RULE TITLES:  
11D-8.003        Approval of Breath Test Methods and Instruments  
11D-8.0035      Approval of Alcohol Reference Solution and Sources

PURPOSE AND EFFECT: 11D-6.001: Updating rule to include Intoxilizer 9000.

11D-8.0035: Updating rule regarding alcohol reference solutions

SUMMARY: Revises rules for inclusion of Intoxilizer 9000 and revisions to alcohol reference solutions.

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.

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: 943.03(4), 316.1932(1)(a)2., s. 322.63(3)(a), and s.327.352(1)(b)3.,

LAW IMPLEMENTED: 316.1932(1)(a)2., s. 322.63(3)(a), and s.327.352(1)(b)3.

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: Monday April 22, 2024 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Office of General Counsel, 2331 Phillips Road, Tallahassee, Florida 32308.. 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: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Office of General Counsel, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11D-8.003 Approval of Breath Test Methods and Instruments.**

(1) The approved breath test method for evidentiary breath testing is Infrared Spectroscopy, also known as Infrared Light Absorption.

(2) The Department approves breath test methods and new instrumentation to ensure the accuracy and reliability of breath test results. The approved breath test instrument make and model is the CMI, Inc. Intoxilyzer 8000 and Intoxilyzer 9000 using software evaluated by the Department in accordance with Instrument Evaluation Procedures FDLE/ATP Form 34, revised March 2004, effective date July 2015, hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05645>. This form may be obtained by contacting the Florida Department of Law Enforcement, Alcohol Testing Program, P.O.Box 1489, Tallahassee, Florida 32302.

(3) A Department inspection performed in accordance with Rule 11D-8.004, F.A.C., validates the approval, accuracy and reliability of an evidentiary breath test instrument.

(4) The Department shall conduct evaluations for approval of new instrumentation under subsection (2) in accordance with

Instrument Evaluation Procedures FDLE/ATP Form 34 – Rev. March 2004.

(5) The availability or approval of new instruments, evaluation of software, options or modifications does not negate the approval status of previously approved instruments, or evaluated software, options or modifications. An approved make and model of a breath test instrument remains approved until disapproved by the Department.

*Rulemaking Authority 316.1932(1)(a)2., (f)1., 322.63(3)(a), (b), 327.352(1)(b)3. FS. Law Implemented 316.1932(1)(b)2., 316.1934(3), 322.63(3)(b), 327.352(1)(e), 327.354(3) FS. History—New 10-31-93, Amended 1-1-97, 7-29-01, 11-5-02, 12-9-04, 7-29-15, \_\_\_\_\_.*

**11D-8.0035 Approval of Alcohol Reference Solution and Sources.**

(1) The Department shall approve a source of alcohol reference solution for use by agencies in the State of Florida. The source approved by the Department shall be an ISO 17034 or similarly accredited entity that manufactures alcohol reference solutions and meets the following requirements:

(a) The source must prepare alcohol reference solution, and be capable of producing a minimum batch volume of 800 bottles, each containing at least 500 milliliters, to produce the following vapor alcohol concentrations: 0.05 g/210L, 0.08 g/210L, and 0.20g/210L;

(b) The source must have performed and documented tests that demonstrate that the alcohol reference solutions are reliable for at least two years from the date of manufacture.

~~(2) The Department shall approve each lot of alcohol reference solution prior to distribution for use in Florida.~~

~~(a)-(2) If an ISO 17034 or similiary accredited provider is not available ¶the Department shall approve each lot prior to distribution in Florida by determineing~~ the alcohol concentration in a minimum of ten (10) sample bottles of each lot of alcohol reference solution using gas chromatography or other scientifically accepted method at the time such lots are submitted for approval. Duplicate analyses will be performed on each sample bottle of alcohol reference solution. If any result falls outside the alcohol reference solution acceptable range, a second set of analyses will be performed. If the second set of results are within the alcohol reference solution acceptable range, the alcohol reference solution shall be approved. If any of the results fall outside the alcohol reference solution acceptable range a second time, the alcohol reference solution shall be disapproved.

~~(a) When ¶the Department approved a lot it shall notify~~ the source that the approved lots may be distributed for use in Florida, and shall issue a Certificate of Assurance, FDLE/ATP Form 32 revised March 2001, effective date July 2015, hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05643> This form may be obtained by contacting the Florida

Department of Law Enforcement, Alcohol Testing Program, P.O. Box 1489, Tallahassee, Florida 32302.

(3) Alcohol reference solution lots ~~approved by the Department~~ shall be used in agency or Department inspections within two (2) years of the date of manufacture.

*Rulemaking Authority 316.1932(1)(a)2., (f)1., 322.63(3)(a), 327.352(1)(b)3., (d) FS. Law Implemented 316.1932(1)(b)2., 316.1934(3), 322.63(3)(b), 327.352(1)(e), 327.354(3) FS. History—New 7-6-99, Amended 7-29-01, 12-9-04, 7-29-15, 9-4-16,*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bureau Chief Brett Kirkland  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 26, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2023

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-8.0099  
 RULE TITLE: Minimum Training Requirements for Home Health Aides for Medically Fragile Children

PURPOSE AND EFFECT: The Agency proposes to create a new rule within Chapter 59A-8, F.A.C. to implement the provisions of HB 391 (LOF 2023-183) to outline training curriculum for home health aides for medically fragile children as well as establish data reporting by home health agencies.

SUMMARY: The Agency proposes to create a new rule within Chapter 59A-8, F.A.C. to implement the provisions of HB 391 (LOF 2023-183) to outline training curriculum for home health aides for medically fragile children as well as establish data reporting by home health agencies.

**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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and

pursuant to section 120.541, Florida Statutes, the rule 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: 400.4765, 400.489, 400.497 FS

LAW IMPLEMENTED: 400.54, 400.476, 400.4765, 400.489, 400.497 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: April 29, 2024, 2:00 p.m. to 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room A. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials can be found on the web at: <https://ahca.myflorida.com/health-care-policy-and-oversight/bureau-of-health-facility-regulation/rulemaking>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kelli Fillyaw, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4442. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Fillyaw at (850)412-4442 or email at: [Kelli.Fillyaw@ahca.myflorida.com](mailto:Kelli.Fillyaw@ahca.myflorida.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

**59A-8.0099 Minimum Training Requirements for Home Health Aides for Medically Fragile Children.**

(1) A licensed home health agency that provides skilled care and accepts Medicaid may train and employ any person 18 years of age or older as a home health aide for medically fragile children as defined in section 400.462, F.S., hereafter referred to as an “AMFC,” that meets the eligibility requirements of section 400.4765, F.S., and has successfully completed required training.

(2) Home Health Agency Personnel. An AMFC is considered an employee of the home health agency pursuant to section 400.4765, F.S. An AMFC may only provide services to an eligible relative as defined in section 400.462, F.S., as

assigned or delegated by, and under the supervision of, a registered nurse (RN).

(a) Prior to an AMFC providing services, the home health agency shall have on file documentation of the aide's successful completion of an approved training program as outlined by this rule.

(b) An AMFC shall provide services within the scope of their training as outlined by this rule and sections 400.4765 and 400.489, F.S., and may provide other services as taught by a licensed health professional employee or contractor of the home health agency for an eligible relative. A home health aide may be trained to become an AMFC provided they meet the requirements of sections 400.462 and 400.4765, F.S., and complete an approved training program as outlined by this rule.

(c) An RN employed or contracted with the home health agency must conduct supervisory visits of the AMFC at least every 60 days. The home health agency must maintain documentation of such visits.

(d) Home health agencies that offer training in accordance with the minimum requirements outlined by this rule must document their course curriculum to be made available for review as requested by the Agency.

(3) Approved AMFC Training Curriculum: Minimum Curriculum Requirements. The training curriculum must total at least 86 hours according to sections (a), (b), and (c) below. Training must be provided in a manner that accommodates non-English speakers who are otherwise eligible under section 400.4765, F.S., and this rule to care for an eligible relative. The Home Health Aide Competency Test shall not be administered in lieu of, nor shall prior passage substitute for, any portion of the training program outlined by this rule. At minimum, the training curriculum must include the following sections:

(a) A minimum of forty (40) hours of theoretical instruction and training in nursing. This section of training must be conducted by a qualified RN with a minimum of two years nursing experience, with at least one year in pediatric nursing. This section of training must include the following:

1. Pediatric patients diagnosed with complex or chronic medical conditions including:

a. Premature infants with complications that compromise their health.

b. Respiratory conditions including ventilators, tracheostomies, bronchopulmonary dysplasia, or complications from traumatic brain injuries.

c. Cardiac conditions including congenital heart defects and congenital anomalies.

d. Neurological conditions including seizure disorders, cerebral palsy, and related conditions.

e. Gastronomy needs.

f. Developmental disabilities including intellectual disability, Down's syndrome, autism, spina bifida, brain

damage, substance abuse during pregnancy, and how these disabilities affect growth and development.

g. Congenital defects.

2. Assisting with reinforcement of dressing.

3. Applying and removing anti-embolism stockings and hosiery prescribed for therapeutic treatment of the legs.

4. Assisting with tasks associated with elimination:

a. Toileting.

b. Assisting with the use of a bedpan and urinal.

c. Providing catheter care including changing the urinary catheter bag.

d. Collecting specimens.

e. Emptying ostomy bags or changing bags that do not adhere to the skin.

f. Assisting with the placement and removal of colostomy bags, excluding the removal of the flange or manipulation of the stoma's site.

5. Assisting with the use of devices to aid daily living, such as a wheelchair or walker.

6. Assisting with a prescribed ice cap or collar.

7. Performing simple urine tests for sugar, acetone, or albumin.

8. Assisting with the use of a glucometer to perform blood glucose testing.

9. Keeping records of personal health care activities.

10. Observing appearance and gross behavioral changes in the patient or client and reporting to the registered nurse.

11. Recognition of emergencies and emergency procedures, including dialing 911.

12. Basic restorative care and rehabilitation including the application of AFOs (ankle foot orthosis) and other orthopedic braces.

13. Relevant legal and ethical issues, including patient rights and confidentiality of medical records.

14. Mental health and social service needs of children.

15. Other topics pertinent to home health services.

(b) A minimum of thirty (30) hours of skills training in nursing specific to the care of medically fragile pediatric patients. This section of training must be conducted in person by a qualified RN with a minimum of two years nursing experience, with at least one year in pediatric nursing. This section of training must include the following:

1. An overview of seizure disorders, epilepsy, seizure emergencies, and related first aid and rescue therapies.

2. Tracheostomy care including suctioning, regular cleaning or replacement of inner cannula, trach site care, dressing change, and trach change.

3. Respiratory management including emergency management of desaturation, mucus plugging and dislodgement of trach tube.

4. Enteral care and therapy. Instruction must cover different enteral feeding tubes including nasogastric, nasoduodenal, nasojejunal, gastrostomy, jejunostomy, and gastrojejunal tubes, and gastronomy buttons. Instruction must also cover related equipment, potential complications, and feeding methods to include:

a. Administering enteral feedings: bolus intermittent, cyclic intermittent, intermittent drip, and constant infusion.

b. Equipment including syringes, feeding bags, and feeding pumps.

c. Formula types and preparation.

d. Complications including tube-related mechanical, infectious, gastrointestinal, aspiration pneumonia, and metabolic complications, and complications associated with PEG placement.

5. Assisting with prescribed medical equipment, supplies and devices including oxygen, walkers, wheelchairs, hospital beds, ventilator, C-Pap and BiPap machines, peak flow meters, nebulizers, CPT vests, and apnea monitoring equipment, excluding the titration of the prescribed oxygen levels.

6. Skin care including pressure sore prevention and wound care.

7. Ostomies including ileostomies, colostomies and urostomies, maintaining a healthy stoma and emptying and changing the ostomy pouch or bag.

8. Urinary catheter care including catheter position, hydration, hygiene, complications, changing the catheter bag, removing and inserting a foley catheter.

9. End-of-life care and postmortem care.

10. Peripheral intravenous assistive care activities including care and maintenance of the device and signs and symptoms of complications.

11. Measuring and preparing special diets, excluding IV/TPN services.

12. Measuring intake and output of fluids.

13. Measuring vital signs including temperature, pulse, respiration, and blood pressure.

(c) A minimum of sixteen (16) hours of clinical competency training and validation. Validation of medication routes pursuant to Rule 59A-8.0097, F.A.C., does not count toward the 16 hours required by this section. Validation must be conducted on site with an actual patient and supervised by a qualified RN with a minimum of two years nursing experience, with one year in pediatric nursing. Successful validation requires the AMFC to demonstrate, in person, the skills outlined in section (3)(b) to include procedures for the following:

1. Skin care, pressure sore prevention, and wound care.

2. Tracheostomy care.

3. Enteral care and therapy.

4. Peripheral intravenous assistive care activities.

5. Urinary catheter care and foley catheterization.

6. Ostomy care and maintenance.

7. Appropriate use of prescribed medical equipment, supplies and devices.

8. Measuring of vital signs and intake and output of fluids.

(4) Validation. An AMFC must be assessed and validated as competent to provide services by an RN after successfully completing required training.

(a) An AMFC must achieve a score of 100% proficiency in validation of skills prior to providing services.

(b) Validation must take place within 90 days of completing required training.

(c) Validations expire 1 year from the effective date of the validation. An AMFC must be revalidated no more than within 60 days prior to the expiration of their validation to continue providing services.

(5) Pursuant to section 400.4765, F.S., an AMFC that allows 24 consecutive months to pass without providing services to an eligible relative must complete an approved training program as outlined by this rule to resume providing services.

(6) Pursuant to section 400.489, F.S., medication administration training may be provided in addition to the 86 hour curriculum outlined in section (3). An AMFC may administer medication as delegated by an RN if they complete the basic medication administration training pursuant to Rule 59A-8.0097 and the requirements of Rules 59A-8.0219 and 59A-8.0216, F.A.C, are met.

(a) To meet the needs of medically fragile pediatric patients, an AMFC may administer medications via additional routes with written instructions from the delegating RN as prescribed by the patient's health care provider. The following routes require the AMFC to complete additional medication training specified in section (3)(b):

1. Oral medications to be crushed, diluted, or mixed with foods or liquid.

2. Medications in a liquid form or pills crushed into a powder form via enteral feeding tube.

3. Medications by injection via subcutaneous, intra-dermal, or intra-muscular route.

4. Medication that is inserted rectally, including medications to treat or control seizures.

5. Inhaled medications administered via a tracheostomy tube with a metered-dose inhaler or nebulizer.

(b) Medication Training for Additional Routes of Administration. In addition to the initial 6 hours of training required by Rule 59A-8.0097, F.A.C., the AMFC must complete an additional 4 hours of training to administer medications via the routes described in section (3)(a). The additional training must be provided by an RN with at least two years of experience and must cover the following:

1. Administration of medications utilizing standardized measuring devices for children including oral syringes, special medication dosing spoons, or medication cups.

2. Measuring liquid medication, including conversions of teaspoon/tablespoon to milliliter or cubic centimeter (cc).

3. Indications and procedures for oral medications to be diluted or mixed with foods or liquid.

4. Indications and contraindications to crushing oral medications.

5. Procedure to crush oral medications and mix with foods or liquid.

6. Procedures for medications administered via enteral feeding tubes.

7. Procedures for medications inserted rectally.

8. Procedure for the administration of inhaled medications via a tracheostomy tube utilizing a metered-dose inhaler or nebulizer.

9. Recognition of serious adverse reactions and how to handle the event.

10. Medication errors and reporting to the RN, including when the child does not take all of medication mixed with food or liquids.

11. Infection control measures for administration of medication to pediatric patients.

(c) An AMFC that completes the training outlined in section (3)(b) must be validated in accordance with Rule 59A-8.0097, F.A.C. prior to administering medication via additional routes.

(7) Data Reporting. Pursuant to section 400.54, F.S., each licensed home health agency that provides skilled services to children under the age of 21 must develop procedures to gather data to submit to the Agency covering services provided from October 1<sup>st</sup> of the previous year to September 30<sup>th</sup> of the current year. Data must be submitted no later than November 1<sup>st</sup> each year.

(a) Data must be submitted on Home Health Agency, Aide for Medically Fragile Children Assessment, AHCA Form 3110-XXXX, April 2024, incorporated by reference and available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The form will be available through the link included in the e-blast sent to each licensee required to report one month prior to the due date.

(b) A home health agency that fails to submit the required information by the due date may be fined up to \$50 per day late not to exceed \$500 in accordance with section 408.813, F.S. *Rulemaking Authority 400.4765, 400.489, 400.497 FS. Law Implemented 400.54, 400.476, 400.4765, 400.489, 400.497 FS. History—New*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kelli Fillyaw

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jason Weida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 3/28/2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 12/22/2023

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing**

RULE NO.: 59A-35.125  
RULE TITLE: Standards for the Appropriate Use of Facial Coverings for Infection Control

PURPOSE AND EFFECT: The Agency is proposing to create a new rule within Ch. 59A-35, F.A.C., to implement the provisions of SB 252 (L.O.F. 2023-043) to establish facial covering requirements for health care practitioners and health care providers for infection control.

SUMMARY: Rule 59A-35.125 will establish facial covering requirements for health care practitioners and health care providers for infection control.

**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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule 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: 408.824 F.S.

LAW IMPLEMENTED: 408.824 F.S.

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

DATE AND TIME: May 7, 2024, from 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, building #3, Conference Room A, Tallahassee, FL



32308. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials can be found on the web at: [https://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Rulemaking.shtml](https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kelli Fillyaw, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, 32308 (850)412-4442. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kelli Fillyaw at (850)412-4442 or email at: [Kelli.Fillyaw@ahca.myflorida.com](mailto:Kelli.Fillyaw@ahca.myflorida.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

**59A-35.125 Standards for the Appropriate Use of Facial Coverings for Infection Control.**

(1) Definitions:

(a) “Common area” refers to areas in a health care setting where patients are not treated, diagnosed, or examined.

(b) “Employee” refers to any person under employment or contract of a health care setting, including health care practitioners, administrative staff, maintenance staff, aides, contractors, students, and volunteers.

(c) “Health care setting” refers to any place where health care practitioners and/or health care providers practice their profession or provide services.

(d) “Patient” refers to a person receiving services from a health care practitioner or health care provider.

(e) “Sterile areas” refers to locations where surgery is conducted or where procedures that require aseptic techniques are performed.

(f) “Sterile procedure” refers to aseptic procedures with the goal of minimizing the risk of microbial contamination to reduce the rate of invasive or surgical site infection.

(g) “Visitor” refers to any person in a health care setting who is not an employee or patient of the health care setting.

(2) Health care practitioners and health care providers may choose to require a patient to wear a facial covering only when the patient is in a common area of the health care setting and is exhibiting signs or symptoms of or has a diagnosed infectious disease that can be spread through droplet or airborne transmission.

(3) Health care practitioners and health care providers may choose to require a visitor to wear a facial covering only when the visitor is:

(a) Exhibiting signs or symptoms of or has a diagnosed infectious disease that can be spread through droplet or airborne transmission.

(b) In sterile areas of the health care setting or an area where sterile procedures are being performed.

(c) In an in-patient or clinical room with a patient who is exhibiting signs or symptoms of or has a diagnosed infectious disease that can be spread through droplet or airborne transmission, or

(d) Visiting a patient whose treating health care practitioner has diagnosed the patient with or confirmed a condition affecting the immune system in a manner which is known to increase risk of transmission of an infection from employees without signs or symptoms of infection to a patient and whose treating practitioner has determined that the use of facial coverings is necessary for the patient’s safety.

(4) Opt-Out Requirements are as follows:

(a) Health care practitioners and health care providers who choose to require a facial covering for any patient must include in the policy a provision for the opting-out of wearing a facial covering. Such policy must be in accordance with the Florida Patient Bill of Rights and Responsibilities, section 381.026, F.S.

(b) Health care practitioners and health care providers who choose to require a facial covering for any visitor must include in the policy a provision for the opting-out of wearing a facial covering if an alternative method of infection control or infectious disease prevention is available.

(5) Health care practitioners and health care providers must allow an employee to opt out of facial covering requirements unless an employee is:

(a) Conducting sterile procedures,

(b) Working in a sterile area,

(c) Working with a patient whose treating health care practitioner has diagnosed the patient with or confirmed a condition affecting the immune system in a manner which is known to increase risk of transmission of an infection from employees without signs or symptoms of infection to a patient and whose treating practitioner has determined that the use of facial coverings is necessary for the patient’s safety,

(d) With a patient on droplet or airborne isolation, or

(e) Engaging in non-clinical potentially hazardous activities that require facial coverings to prevent physical injury or harm in accordance with industry standards.

*Rulemaking Authority 408.824 FS. Law Implemented 408.824 FS. History – New.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Kelli Fillyaw  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Jason Weida  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: March 28, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: August 17, 2023

### Section III

## Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:           RULE TITLE:  
 6A-1.09401        Student Performance Standards  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 52, March 14, 2024 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:           RULE TITLE:  
 6A-1.094124       Required Instruction Planning and Reporting  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 51, March 13, 2024 issue of the Florida Administrative Register has been withdrawn.

### Section IV

## Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE NO.:           RULE TITLE:  
 53ER24-12        CASH CASTLE Bonus Play Promotion  
 SUMMARY OF THE RULE: This rule sets forth the terms, conditions, and prizes for the CASH CASTLE Bonus Play Promotion.  
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32301.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

**53ER24-12 CASH CASTLE Bonus Play Promotion.**

(1) Beginning April 8, 2024, and through May 19, 2024 (“Bonus Play Period”), the Florida Lottery will conduct the CASH CASTLE Bonus Play (“Bonus Play” or “Promotion”) in

which players can enter winning, non-winning, and free Florida LOTTO<sup>®</sup>, with or without Double Play<sup>®</sup> and/or with or without EZmatch<sup>™</sup>, tickets and non-winning GOLD RUSH LEGACY (Game Number 1562) Scratch-Off tickets (collectively “Eligible” ticket/s) purchased or issued during the Bonus Play Period into a drawing for a chance to win a trip to Ireland (“Trip” or “Trip Prize” or “Trip Package”). Canceled and continuation tickets are not eligible.

(a) To enter an Eligible ticket, a player may use the Florida Lottery's website at [floralottery.com](http://floralottery.com) or use the Florida Lottery's Mobile Convenience App (“App”).

1. Website. On the home page of the Florida Lottery's website, players go to the Promotions tab and select the CASH CASTLE Bonus Play. Players will click on Register/Login and follow the prompts. Players will manually enter the 24-digit ticket number on GOLD RUSH LEGACY tickets and the 19-digit ticket number on Florida LOTTO tickets.

2. App. On the App, players go to the Promotions button, located on either the main menu or on the bottom navigation bar, and select the CASH CASTLE Bonus Play. Players will be prompted to log-in or register. Players may scan the barcode on the bottom of a ticket or may manually enter the 24-digit ticket number on GOLD RUSH LEGACY tickets and the 19-digit number on Florida LOTTO tickets.

3. Deleted Accounts. If a player deletes his/her account, whether through the App or on the Florida Lottery's website, all account data, including ticket entries, associated with the email address used to register his/her account will also be deleted. A player's account cannot be reactivated using the email associated with the deactivated account. Should a player establish a new account utilizing a different email address, account data, including ticket entries, cannot be transferred to the newly established account. Tickets entered under the prior account cannot be re-entered utilizing the newly created account.

4. Regardless of whether a player chooses to participate in the Bonus Play by using the web browser or the App, the following provisions shall apply:

a. the player must use the same account login information to enter tickets;

b. the player will only be required to register one time; and

c. the player's entry history will be cumulative among the entry platforms.

(b) Any player using multiple or different email addresses, identities, registrations, logins, or any other methods will subject the player and any associated entries to disqualification. In the event a player wins a prize, the name a player uses to register must match the name shown on his/her identification used to make a claim, except for a person who has made a legal name change. A person who has made a legal name change must provide a copy of a marriage certificate/judgment/court

order, as applicable, as proof of a differing name. Fictitious names and business names will not be accepted and shall subject the player and any associated entries to disqualification.

(c) Tickets should not be mailed to the Florida Lottery for entry into a drawing. Tickets received in the mail by the Lottery for entry into the Bonus Play will not be entered and will not be returned.

(d) Players may enter Eligible ticket/s into the Bonus Play at any time during the Bonus Play Period, except that entry capabilities on the website and App will be unavailable from 12 a.m. through 6 a.m. ET due to routine maintenance and may be unavailable at other times if there are technical difficulties. Entries must be made by 11:59:59 p.m. (ET) on the last day of a Drawing Entry Period to be entered into that drawing. See subsection (4) for Drawing Entry Periods.

(e) Only Eligible tickets purchased or issued and entered during the Bonus Play Period may win a prize.

(f) A player may enter multiple tickets, up to a maximum of 200 tickets per day. A ticket number may only be entered one time.

(g) A player can only win one Trip Prize during the Bonus Play. Should a player be drawn as a winner a second, or more, times, that win will be discarded, and an alternate winner chosen, as described in subsection (4), below.

(h) The odds of winning depend on the number of entries. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(2) Number of Entries Earned. For the purposes of this subsection, the term “companion” refers to either a GOLD RUSH LEGACY ticket or a Florida LOTTO ticket; the two ticket types together make a “set.” A player will earn two (2) entries into a drawing once the player enters both a non-winning GOLD RUSH LEGACY (Game Number 1562) Scratch-Off ticket and any one Florida LOTTO ticket purchased or issued during the Bonus Play Period. (A player’s entry of multiple GOLD RUSH LEGACY or multiple LOTTO tickets will not earn entries into a drawing without also entering Eligible companion ticket/s.) A player is not required to enter both Eligible companion tickets at the same time. If a player enters one of the two companion tickets but not the other companion ticket during a Drawing Entry Period, the player will not earn entries and will not be entered into a drawing. If by the close of a Drawing Entry Period, a player has not entered a “set” of tickets, the ticket/s entered without a companion ticket will be carried over into subsequent Drawing Entry Period/s through the last Drawing Entry Period or until companion ticket/s have been entered. Once a player has entered both Eligible companion tickets, making a set, and earned the two (2) entries into a Drawing Entry Period, the tickets that earned the entries will no longer be carried over into subsequent Drawing Entry Period/s.

(3) Prizes. The following table sets forth the prizes available in the Bonus Play:

| <u>Prize</u>        | <u>Number of Winners</u> | <u>Prize Value (for a Single Ireland Trip Package)</u> |
|---------------------|--------------------------|--|
| <u>Ireland Trip</u> | <u>50</u>                | <u>\$60,500*</u>                                       |

\*Estimated value. Should the actual retail value be determined to be less than the estimated amount shown, no additional compensation shall be awarded to winners.

(4) Drawings. Five promotional drawings will be held. Winners will be randomly selected from valid entries submitted and received by 11:59:59 p.m. (ET) at the end of each Drawing Entry Period. The Drawing Entry Periods, Drawing Dates, and Winner Announced dates are set forth in the table below. Drawings will be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm.

| <u>Drawing Entry Period</u>   | <u>Drawing Date</u>   | <u>Winners Announced</u> |
|-------------------------------|-----------------------|--------------------------|
| <u>April 8 – 15, 2024</u>     | <u>April 16, 2024</u> | <u>April 17, 2024</u>    |
| <u>April 16 – 23, 2024</u>    | <u>April 24, 2024</u> | <u>April 25, 2024</u>    |
| <u>April 24 – May 1, 2024</u> | <u>May 2, 2024</u>    | <u>May 3, 2024</u>       |
| <u>May 2 – 9, 2024</u>        | <u>May 10, 2024</u>   | <u>May 11, 2024</u>      |
| <u>May 10 – 19, 2024</u>      | <u>May 20, 2024</u>   | <u>May 21, 2024</u>      |

(a) In the drawing, a total of 20 valid entries will be drawn using a certified random number generation process. The first ten valid entries drawn will win a Trip Prize. The remaining valid entries drawn will be used in the order in which they were drawn and in the order of need to select alternate prize winners in the event a Trip Prize cannot be awarded to an initial winner or in the event the same winner has been drawn a second, or more, times.

(b) A player may only win one (1) time in this Bonus Play. Should a player who has previously won a Trip Prize in the Bonus Play be drawn a second, or more, times, an additional Trip Prize will not be awarded to this player and an alternate winner will be chosen. In the event a player was identified as a winner in a previous Drawing and did not respond to the Lottery’s notification, as defined in subsection (5), below, or did not provide the required documentation, as defined in subsection (6), below, and should the player be drawn a second time, this paragraph will not apply, and the player may be

awarded a Trip Prize. However, in no event, may a player win more than one (1) Trip Prize.

(5) Winner Notification.

(a) Winners will be posted on [floralottery.com](http://floralottery.com) on the Winner Announced dates set forth in the table in subsection (4), above, or as soon thereafter as practical.

(b) The Florida Lottery will attempt to notify each winner by telephone or email using the contact information provided in the Winner's registration data no later than one business day (Monday-Friday) after the winners are posted on the Florida Lottery's website. The Lottery will not attempt to further notify a winner if the attempt to notify him/her by telephone or email is unsuccessful. If the Lottery is unable to have contact with a winner within ten (10) calendar days of the date the winners are posted on the website, the Winner will forfeit his/her right to claim the prize and the Lottery will award the prize to an alternate winner. If the Lottery is unable to have contact with the alternate winner within ten (10) calendar days of the date of notification, the alternate winner will forfeit his/her right to claim the prize and the Florida Lottery will award the prize to the next alternate winner. This process will continue until an alternate winner is contacted or the Lottery has exhausted the list of alternate winners due to unsuccessful notification attempts or due to failure by a winner or an alternate winner to timely provide required claim documentation as set forth in subsection (6), below. If the Lottery exhausts the list of alternate winners, the prize will not be awarded.

(c) Leaving a voicemail, if available, and the issuance of an email constitutes notification. The Lottery deems the Winner's registration data as his/her official contact information. The Florida Lottery is not responsible or liable for email failures or faults; telephone failures or faults; voicemail failures, faults, or unavailability; system, network, or software failures or faults; or the like.

(6) How to Claim a Prize.

(a) Trip Prize winners must submit a completed Winner Claim Form DOL 173-2, revised 2/2023, or a Spanish Winner Claim Form DOL 173-2S, revised 2/2023, a copy of acceptable identification as set forth in the Florida Lottery's Payment of Prizes rule, 53ER23-20 F.A.C., a copy of a valid, current passport issued by the United States or a foreign government (this passport may also serve as acceptable identification under the Payment of Prizes rule), a completed Winner Release, Acknowledgement, and Authorization form, DOL 474 TRIP Ireland - Winner, effective 4/8/2024, and a completed Guest Release, Acknowledgement, and Authorization form, DOL 474 TRIP Ireland - Guest, effective 4/8/2024. Forms DOL 173-2, DOL 173-2S, DOL 474 TRIP Ireland – Winner, and DOL 474 TRIP Ireland - Guest are hereby incorporated by reference. All forms may be obtained at any Florida Lottery office or by contacting: Florida Lottery, Claims Processing, 250 Marriott

Drive, Tallahassee, Florida 32399-4016. Forms DOL 173-2 and DOL 173-2S may also be obtained from any Lottery retailer or from the Lottery's website at [floralottery.com](http://floralottery.com).

(b) A winner's completed Winner Claim Form (DOL 173-2 or DOL 173-2S), a copy of the Winner's identification, and the Winner's completed DOL 474 TRIP Ireland - Winner (Winner Release, Acknowledgement, and Authorization) must be received by any Florida Lottery office no later than ten (10) calendar days after the Florida Lottery has made contact with the Winner. If the Lottery has not received the required documentation from a winner by the tenth calendar day after contact, the Winner will forfeit his/her right to claim the prize and the Florida Lottery will award the prize to an alternate winner. The same timeframe for a winner to return required documentation to the Florida Lottery shall apply to an alternate winner.

(c) A completed Guest Release, Acknowledgement, and Authorization form, DOL 474 TRIP Ireland – Guest, must be received by the Prize Provider (jointly or individually Florida Lottery and/or Atlas Experiences, LLC) by November 15, 2024.

(7) Award of Trip to Ireland.

(a) Ireland Trip dates are December 12 through December 18, 2024. The Prize Provider reserves the right to change Trip dates as circumstances require.

(b) Upon the Florida Lottery's timely receipt of a Trip Prize winner's required documentation, the Lottery will award a Trip Package. In conjunction with the Lottery, Atlas Experiences, LLC will manage prize fulfillment. Trip Prize/Package elements are:

1. Room accommodation for two (2) nights for two (2) people, double occupancy (one room), at the Hard Rock Dublin Hotel followed by three (3) nights for two (2) people, double occupancy (one room), at Adare Manor.

2. Roundtrip economy airfare, or better, which includes one checked bag for each of the Winner/Proxy and his/her Guest. Trip Winner (or his/her Proxy) and his/her Guest are responsible for travel to an airport and from the airport upon return.

3. Transportation while in Ireland to/from an airport, to/from room accommodations, and to/from Prize Provider scheduled events. Any other desired travel while in Ireland is at the expense of the Trip Winner/Proxy/Guest.

4. Breakfast buffets and dinners while in Ireland at the designated room accommodations and/or scheduled events. Lunch-time meals, meals not a part of the designated/provided buffets/dinners, and meals away from the designated locations/events are not covered and are at the expense of the Trip Winner/Proxy/Guest.

5. \$1,500 spending cash. (Upon completion of the state-owed debt/child support analysis, as described in subsection

(10), below, spending cash payments will be issued to Trip winners prior to travel.)

6. Events and Activities. At a minimum: Cash Castle Gameshow a/k/a Lucky Pik Gameshow (“Gameshow”), Horse and Hound Cash Castle Welcome, Falconry demonstration. Trip winners may select from: Cliffs of Moher Tour, Galway Food Tour, or Kylemore Farmhouse Cheese Experience. Events in lieu of those described herein may, but are not guaranteed, be held if circumstances arise that prevent the occurrence of an originally planned event. Should an event/alternate event not be able to be held for any reason and the event/alternate event cannot be rescheduled during the Trip period, it will not otherwise be held or otherwise compensated.

7. Opportunity to participate in the Cash Castle Gameshow for a chance to win from \$1,000 up to \$1,000,000. The Gameshow has been developed by and through, and will be conducted by, Atlas Experiences, LLC (“Prize Provider”). Each Trip Winner will win one (1) Gameshow prize, no Trip Winner may win more than one Gameshow prize. Available prize amounts and the number of winners for each prize are:

| <u>Prize</u>                | <u>Prize Amount</u> | <u>Number of Winners</u> |
|-----------------------------|---------------------|--------------------------|
| <u>Top Prize</u>            | <u>\$1,000,000</u>  | <u>1</u>                 |
| <u>2<sup>nd</sup> Prize</u> | <u>\$10,000</u>     | <u>1</u>                 |
| <u>3<sup>rd</sup> Prize</u> | <u>\$7,500</u>      | <u>2</u>                 |
| <u>4<sup>th</sup> Prize</u> | <u>\$5,000</u>      | <u>6</u>                 |
| <u>5<sup>th</sup> Prize</u> | <u>\$2,500</u>      | <u>8</u>                 |
| <u>6<sup>th</sup> Prize</u> | <u>\$2,000</u>      | <u>10</u>                |
| <u>7<sup>th</sup> Prize</u> | <u>\$1,500</u>      | <u>10</u>                |
| <u>8<sup>th</sup> Prize</u> | <u>\$1,000</u>      | <u>12</u>                |
| <u>Total</u>                | <u>\$1,122,000</u>  | <u>50</u>                |

A Trip Prize winner’s Guest may attend the Gameshow with the Trip Winner but cannot take part in the Gameshow and is not eligible to win a Gameshow prize. A Trip winner’s appointed Proxy, if any, may participate in the Gameshow. A prize won in the Gameshow by a Proxy will not be awarded to the Proxy; the prize won will be awarded to the Trip Winner, subject to state-owed debt and child support analysis and the withholding of applicable federal tax. Should a Trip Winner, or his/her Proxy, not appear at the designated time and place for the

Gameshow, he/she will forfeit the right to take part in the Gameshow. Arriving for the Gameshow more than fifteen (15) minutes past the designated start time for the Gameshow shall be deemed a failure to appear, and the Trip Winner/Proxy will not be permitted to take part in the Gameshow. Trip winners, or their Proxies, not appearing, or deemed a failure to appear, at the Gameshow for any reason will be randomly awarded a prize from available low-tier prizes. Any Trip winner not attending the Gameshow shall accept the outcome of the Gameshow. Gameshow results are final and shall be accepted by all participants.

Gameshow prize winners must submit a Winner Claim Form (DOL 173-2 or DOL 173-2S) and a copy of his/her identification prior to issuance of the Gameshow prize. Upon the Lottery’s receipt of a Gameshow winner’s claim form and identification and completion of the state-owed debt/child support analysis, as described in subsection (10), and deduction of applicable federal tax, as described in subsection (9), the Gameshow prize payment will be issued to a Gameshow winner.

8. Payment of federal income tax withholding on the total retail value of the Trip Prize elements described in subparagraphs 1. through 6., above, but not as to any prize won in the Gameshow.

Exclusive of the prize received in the Gameshow, the reportable taxable value of the Trip Prize includes the value of the Trip Prize plus the value of the federal income tax withholding paid by the Florida Lottery. The estimated retail value of the Trip Prize and the estimated reportable taxable value is:

| <u>Estimated Retail Value of Ireland Trip Prize (exclusive of a Gameshow cash prize)</u> | <u>Estimated Reportable Taxable Value of Ireland Trip Prize (U. S. citizen or legal resident)</u> | <u>Estimated Reportable Taxable Value of Ireland Trip Prize (nonresident)</u> |
|--|---|---|
| <u>\$60,500.00*</u>  | <u>\$79,605.26</u>  | <u>\$86,428.57</u>  |

\*Estimated value. Should the actual retail value be determined to be less than the estimated amount shown, no additional compensation shall be awarded to winners.

(c) In order to travel to Ireland, Trip winners/proxies/guests shall provide a copy of a valid, current passport, issued by the United States or a foreign government, to the Florida Lottery and to Atlas Experiences, LLC before November 15, 2024. A passport must be current through June 18, 2025, (six (6) months beyond the end of the Trip, which is December 18, 2024). The Prize Provider (Atlas Experiences, LLC and Florida Lottery) is not responsible or liable for delays in passport processing requests or for any denial of a passport application. Should the Trip Winner, or Proxy, be unable, for any reason, to obtain a

passport, and provide proof of the same to the Prize Provider, on or before November 15, 2024, the Trip Winner shall forfeit the Trip Prize, except for the \$1,500 spending cash and a low-tier prize from the Gameshow. The full value of the Trip Prize shall remain taxable to the Trip Winner. Should a proxy or guest be unable to obtain a passport, the Trip Winner may appoint another proxy and/or choose another guest, time permitting.

(d) For potential incidentals, Trip winners/proxies/guests must have an internationally accepted credit card to provide to room accommodation providers. Charges to room accommodations are not permitted. The Prize Provider will not assist winners/proxies/guests in obtaining an internationally accepted credit card.

(e) As to any guest, the Prize Provider must receive a completed Form DOL 474 TRIP Ireland - Guest (Guest Release, Acknowledgement, and Authorization) and a copy of the Guest's passport on or before November 15, 2024. No guest changes or proxy appointments (See paragraph (7)(h), below, for proxy information) are permitted past November 15, 2024; all documents for any guest changes and proxy appointments must also be received by November 15, 2024. Once names are submitted, any changes may incur a fee. A guest may not travel alone but must accompany the Winner/Proxy and must travel on the same itinerary. Should the Winner/Proxy be unable to travel for any reason, the Guest may not travel.

(f) Except as specified above, the Trip Prize does not include travel to and from a winner's residence and an airport, other travel, meals, parking fees, credit card fees, baggage fees, travel insurance, alcoholic beverages (other than those served without charge at any reception and/or party), incidentals, tips, and personal expenses such as telephone calls, valet service or laundry, etc., as well as rebooking or cancellation fees that may be charged by a hotel, airline, or other suppliers/vendors.

(g) Atlas Experiences, LLC shall determine, in its sole discretion, the specific merchandise models, items, vendors, and/or retailers for all elements of the Trip Prize and reserves the right to substitute any portion or elements of the Trip Prize for items of comparable or greater value and/or any specified brand, vendor, or retailer for one of comparable quality. Elements of the Trip Prize are subject to availability and may be fulfilled by third-party companies and/or vendors. All aspects of the Trip Prize elements may be substituted by the Florida Lottery and/or Atlas Experiences, LLC but will be of comparable or greater value. If for any reason, a planned event cannot/does not take place during the Trip dates, those event/s will not otherwise be scheduled or otherwise compensated.

(h) If a Trip Winner chooses not to use the Trip Prize or becomes unavailable for any reason, he/she may appoint a proxy, if there is sufficient time. A completed Proxy Appointment and Acknowledgement form DOL 491-B, revised 2/2023, and a completed Proxy Release, Acknowledgement,

and Authorization form DOL 474 TRIP Ireland - Proxy, effective 4/8/24, must be received by the Prize Provider on or before November 15, 2024. Forms DOL 491-B and DOL 474 TRIP Ireland - Proxy are hereby incorporated by reference and can be obtained from any Florida Lottery office or by writing to Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

If a winner, or appointed proxy, fails to complete travel arrangements by November 15, 2024, which includes being unable to obtain a passport and/or failing to provide a passport compliant with the requirements set forth in paragraph (7)(c), above, he/she will forfeit the Trip Prize, and the Winner will remain taxable on the entire value of the Trip Prize. In the event a proxy is appointed, the original Trip Prize Winner shall receive the \$1,500 spending cash and will remain eligible and will receive a prize in the Gameshow. Should a proxy, for any reason, be unable to travel, the Proxy may not appoint another proxy. Under all circumstances, the entire value of the Trip Prize shall remain taxable to the original Trip Prize Winner.

(8) No substitution of any kind, a cash substitution, assignment, or transfer of the Trip Prize, or element thereof, is permitted, except as provided herein. Any unused Trip Prize or Trip Prize element/s will be forfeited, will not be redeemable for cash, and will not reduce the Trip Prize value awarded for tax purposes. Any substitution/s initiated by the Florida Lottery, or its providers, are at the sole discretion of the Florida Lottery and its providers. Should there be prize substitutions, such will be of comparable or greater value.

(9) Taxes.

(a) Except as specifically described herein, all federal, state, and/or local taxes or other fees on the Trip Prize or Trip Prize element/s, including any prize won in the Gameshow, shall be the sole responsibility of a winner, regardless of whether a winner avails himself/herself of the prize.

(b) As to a prize won in the Gameshow, and as per applicable IRS Code/Regulations, federal income tax withholding will be applied prior to issuance of payment to the Winner. Federal income taxes will be withheld at a rate of twenty-four percent (24%) for U. S. citizens or legal permanent residents and at the rate of thirty percent (30%) for nonresident alien claimants. The reporting and subsequent payment of any additional federal, state, and/or local taxes shall be the responsibility of a winner.

(c) If a Trip Prize is forfeited for any reason, the entire value of a Trip Prize will remain taxable to the Trip Winner.

(10) State-Owed Debt/Child Support Debt. After the withholding of applicable federal tax, Trip Prize winners, with respect to the \$1,500 in spending cash and the Gameshow prize, will be analyzed for state-owed debt and child support debt. If a winner is identified as owing an outstanding debt to any state agency or owes child support collected through a court, the debt

will be offset in accordance with section 24.115(4), Florida Statutes. If the debt is an amount less than the amount of the \$1,500 spending cash or the Gameshow prize, the balance, after deduction of the debt, shall be awarded. If the debt is greater than the amount to be awarded, the entire award will be applied to the outstanding debt. Winners will be analyzed prior to issuance of each of the \$1,500 in spending cash and the Gameshow prize.

(11) Other Restrictions and Provisions.

(a) Players/Winners must be at least 18 years of age. Any proxies and guests must be at least 18 years of age as of the first date of travel, which is December 12, 2024. All winners, proxies, and guests are subject to Florida Lottery approval as to age, submittal of all required documentation, having a valid, current passport, along with any other requirement set forth within this rule and within applicable Release, Acknowledgement, and Authorization forms. All such requirements must be completed and met on or before November 15, 2024.

(b) Persons prohibited by section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to enter the CASH CASTLE Bonus Play.

(c) All prizes and Trip Winners are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011 or at flrules.org.

(d) By entering the CASH CASTLE Bonus Play, a player gives his/her permission for the Florida Lottery to photograph and/or videotape and record him/her with or without prior notification and consents to the use of his/her name, photograph, videotape, and/or recording of him/her for advertising or publicity purposes without additional notice and without additional compensation.

(e) If a prize is not claimed or otherwise awarded for any reason, it will not otherwise be awarded, and no compensation shall be provided.

(f) The CASH CASTLE Bonus Play is void where prohibited by law.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 4-8-2024.

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

EFFECTIVE DATE: 4/8/2024

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER24-13  
 RULE TITLE: Game Number 1559, DOUBLE IT!

SUMMARY OF THE RULE: This emergency rule describes Game Number 1559, “DOUBLE IT!,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THIS EMERGENCY RULE IS:

**53ER24-13 Game Number 1559, DOUBLE IT!.**

(1) Name of Game. Game Number 1559, DOUBLE IT!.

(2) Game Number 1559, DOUBLE IT! is a Scratch-Off lottery game (also known as an instant lottery game).


(3) Price. DOUBLE IT! Lottery tickets sell for \$1.00 per ticket.

(4) DOUBLE IT! Lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning DOUBLE IT! Lottery ticket, the ticket must meet the applicable requirements of the Florida Lottery’s Payment of Prizes rule, 53ER23-20, F.A.C.

(5) Play/Prize symbols and corresponding play/prize symbol captions that may appear in the play area:

**\$1.00** **\$2.00** **\$4.00** **\$5.00** **\$10.00** **\$15.00** **\$20.00**  
ONE TWO FOUR FIVE TEN FIFTEEN TWENTY  
**\$30.00** **\$40.00** **\$50.00** **\$100** **\$200** **\$5,000** **DOUBLE**  
THIRTY FORTY FIFTY ONE HUN TWO HUN FIVE THOU

(6) Determination of Prizewinners.

A ticket having three (3) like play/prize symbols and corresponding play/prize symbol captions in the play area shall entitle the player to that prize amount. (The prize shown, not three times the prize shown.) A ticket having two (2) like play/prize symbols and corresponding play/prize symbol captions plus a  symbol and symbol caption in the play area shall entitle the player to the two (2) times (i.e. “double”) prize amount shown.

(7) The odds of winning, value, and number of prizes in Game Number 1559 are:

|                  |            |                     |  |
|------------------|------------|---------------------|--|
| <u>GAME PLAY</u> | <u>WIN</u> | <u>ODDS OF 1 IN</u> | <u>NUMBER OF WINNERS IN 57.44 POOLS OF 240,000</u> |
|------------------|------------|---------------------|--|

|                   |         |            | TICKETS<br>PER POOL |
|-------------------|---------|------------|---------------------|
| \$1               | \$1     | 10.71      | 1,286,552           |
| \$1 (MONEYBAGS)   | \$2     | 30.02      | 459,210             |
| \$2               | \$2     | 29.98      | 459,750             |
| \$2 (MONEYBAGS)   | \$4     | 75.11      | 183,522             |
| \$4               | \$4     | 99.80      | 138,114             |
| \$5               | \$5     | 298.65     | 46,155              |
| \$5 (MONEYBAGS)   | \$10    | 299.62     | 46,007              |
| \$10              | \$10    | 298.65     | 46,155              |
| \$15              | \$15    | 301.75     | 45,682              |
| \$20              | \$20    | 374.10     | 36,847              |
| \$15 (MONEYBAGS)  | \$30    | 3,411.14   | 4,041               |
| \$30              | \$30    | 3,855.78   | 3,575               |
| \$20 (MONEYBAGS)  | \$40    | 8,046.94   | 1,713               |
| \$40              | \$40    | 7,917.52   | 1,741               |
| \$50              | \$50    | 4,836.63   | 2,850               |
| \$50 (MONEYBAGS)  | \$100   | 6,056.41   | 2,276               |
| \$100             | \$100   | 6,029.92   | 2,286               |
| \$100 (MONEYBAGS) | \$200   | 59,932.17  | 230                 |
| \$200             | \$200   | 59,932.17  | 230                 |
| \$5,000           | \$5,000 | 121,985.84 | 113                 |

**DEPARTMENT OF THE LOTTERY**

RULE NO.:      RULE TITLE:

53ER24-14      Game Number 1560, WIN WIN WIN

SUMMARY OF THE RULE: This emergency rule describes Game Number 1560, “WIN WIN WIN,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

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



THE FULL TEXT OF THIS EMERGENCY RULE IS:

**53ER24-14 Game Number 1560, WIN WIN WIN.**

- (1) Name of Game. Game Number 1560, WIN WIN WIN.
- (2) Game Number 1560, WIN WIN WIN is a Scratch-Off lottery game (also known as an instant lottery game).
- (3) Price. WIN WIN WIN Lottery tickets sell for \$2.00 per ticket.

(4) WIN WIN WIN Lottery tickets have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WIN WIN WIN Lottery ticket, the ticket must meet the applicable requirements of Rule 53ER23-20, *Payment of Prizes, F.A.C.*

(5) Play symbols and play symbol captions that may appear in the YOUR NUMBERS play area:

|  |  |                |                |               |               |                 |                |                |              |
|--|--|----------------|----------------|---------------|---------------|-----------------|----------------|----------------|--------------|
| 1<br>ONE   | 2<br>TWO   | 3<br>THREE     | 4<br>FOUR      | 5<br>FIVE     | 6<br>SIX      | 7<br>SEVEN      | 8<br>EIGHT     | 9<br>NINE      | 10<br>TEN    |
| 11<br>ELEVEN   | 12<br>TWELVE   | 13<br>THIRTEEN | 14<br>FOURTEEN | 15<br>FIFTEEN | 16<br>SIXTEEN | 17<br>SEVENTEEN | 18<br>EIGHTEEN | 19<br>NINETEEN | 20<br>TWENTY |
|  DOUBLE |  MINALL |                |                |               |               |                 |                |                |              |

(6) Play symbols and play symbol captions that may appear in the WINNING NUMBERS play area:

|              |              |                |                |               |               |                 |                |                |              |
|--------------|--------------|----------------|----------------|---------------|---------------|-----------------|----------------|----------------|--------------|
| 1<br>ONE     | 2<br>TWO     | 3<br>THREE     | 4<br>FOUR      | 5<br>FIVE     | 6<br>SIX      | 7<br>SEVEN      | 8<br>EIGHT     | 9<br>NINE      | 10<br>TEN    |
| 11<br>ELEVEN | 12<br>TWELVE | 13<br>THIRTEEN | 14<br>FOURTEEN | 15<br>FIFTEEN | 16<br>SIXTEEN | 17<br>SEVENTEEN | 18<br>EIGHTEEN | 19<br>NINETEEN | 20<br>TWENTY |

(7) Prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area:

|                  |                  |                   |                   |                     |                      |                        |                   |
|------------------|------------------|-------------------|-------------------|---------------------|----------------------|------------------------|-------------------|
| \$1.00<br>ONE    | \$2.00<br>TWO    | \$11.00<br>ELEVEN | \$5.00<br>FIVE    | \$10.00<br>TEN      | \$20.00<br>TWENTY    | \$25.00<br>TWO FIVE    | \$30.00<br>THIRTY |
| \$40.00<br>FORTY | \$100<br>ONE HUN | \$200<br>TWO HUN  | \$400<br>FOUR HUN | \$1,000<br>ONE THOU | \$10,000<br>TEN THOU | \$50,000<br>FIFTY THOU |                   |

(8) Fixed symbols:

|                    |              |
|--------------------|--------------|
| HINNING<br>NUMBERS | YOUR NUMBERS |
| PRIZE              |              |

(9) Determination of Prizewinners.

(8) The overall odds of winning a prize are 1 in 4.98. Prizes are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Game Number 1559, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for DOUBLE IT! Lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. *Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 4-8-2024.*

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

EFFECTIVE DATE: 4/8/2024



A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the player to the corresponding prize shown for that symbol. A ticket



having a **DOUBLE** symbol and symbol caption in the YOUR NUMBERS play area shall entitle the player to two times (i.e.,



“double”) the prize shown. A ticket having a **WINALL** symbol and symbol caption in the YOUR NUMBERS play area shall entitle the player to all ten prizes shown.

(10) The odds of winning, value, and number of prizes in Game Number 1560 are:

| GAME PLAY                              | WIN  | ODDS OF 1 IN | NUMBER OF WINNERS IN 77.12 POOLS OF 180,000 TICKETS PER POOL |
|--|------|--------------|--|
| \$2                                    | \$2  | 10.00        | 1,388,112  |
| \$1 x 4                                | \$4  | 49.99        | 277,650  |
| (\$1 x 2) + \$2                        | \$4  | 50.00        | 277,616  |
| \$2 (CASH)                             | \$4  | 49.97        | 277,759  |
| \$4                                    | \$4  | 50.03        | 277,435  |
| \$1 x 5                                | \$5  | 375.54       | 36,962   |
| \$1 + \$2 (CASH)                       | \$5  | 374.80       | 37,035   |
| (\$2 x 2) + \$1                        | \$5  | 374.59       | 37,056   |
| \$1 + \$4                              | \$5  | 375.33       | 36,983   |
| \$5                                    | \$5  | 375.54       | 36,962   |
| \$1 x 10 (MONEYBAG)                    | \$10 | 250.03       | 55,517   |
| \$1 x 10                               | \$10 | 250.00       | 55,524   |
| \$2 x 5                                | \$10 | 250.03       | 55,516   |
| \$5 (CASH)                             | \$10 | 249.85       | 55,556   |
| \$10                                   | \$10 | 249.91       | 55,544   |
| \$2 x 10 (MONEYBAG)                    | \$20 | 751.90       | 18,461   |
| \$4 x 5                                | \$20 | 750.28       | 18,501   |
| \$5 x 4                                | \$20 | 748.94       | 18,534   |
| \$10 (CASH)                            | \$20 | 749.47       | 18,521   |
| \$20                                   | \$20 | 749.43       | 18,522   |
| \$1 + (\$2 x 7) + (\$5 x 2) (MONEYBAG) | \$25 | 1,200.87     | 11,559   |
| \$1 + (\$2 x 7) + \$5 (CASH)           | \$25 | 1,194.15     | 11,624   |
| (\$2 x 5) + (\$5 x 3)                  | \$25 | 1,202.95     | 11,539   |

|                                  |          |              |        |
|----------------------------------|----------|--------------|--------|
| \$5 x 5                          | \$25     | 1,198.80     | 11,579 |
| \$25                             | \$25     | 1,199.94     | 11,568 |
| (\$2 x 5) + (\$4 x 5) (MONEYBAG) | \$30     | 1,799.44     | 7,714  |
| \$5 x 6                          | \$30     | 1,800.37     | 7,710  |
| \$10 x 3                         | \$30     | 1,812.12     | 7,660  |
| \$10 + \$10 (CASH)               | \$30     | 1,793.39     | 7,740  |
| \$30                             | \$30     | 1,800.84     | 7,708  |
| \$4 x 10 (MONEYBAG)              | \$40     | 4,493.64     | 3,089  |
| (\$4 x 5) + (\$5 x 4)            | \$40     | 4,555.58     | 3,047  |
| \$10 x 4                         | \$40     | 4,502.38     | 3,083  |
| \$20 (CASH)                      | \$40     | 4,492.18     | 3,090  |
| \$40                             | \$40     | 4,542.16     | 3,056  |
| \$10 x 10 (MONEYBAG)             | \$100    | 3,985.31     | 3,483  |
| \$10 x 10                        | \$100    | 4,018.78     | 3,454  |
| \$20 (CASH) + \$30 (CASH)        | \$100    | 3,988.75     | 3,480  |
| \$25 x 4                         | \$100    | 3,978.46     | 3,489  |
| \$100                            | \$100    | 3,995.64     | 3,474  |
| \$40 x 10 (MONEYBAG)             | \$400    | 35,960.75    | 386    |
| (\$40 x 5) + (\$100 x 2)         | \$400    | 45,811.39    | 303    |
| \$100 x 4                        | \$400    | 46,115.78    | 301    |
| \$100 (CASH) x 2                 | \$400    | 45,963.08    | 302    |
| \$400                            | \$400    | 44,347.76    | 313    |
| \$100 x 10 (MONEYBAG)            | \$1,000  | 198,297.86   | 70     |
| \$100 x 10                       | \$1,000  | 175,706.96   | 79     |
| \$200 x 5                        | \$1,000  | 187,579.05   | 74     |
| \$200 + \$400 (CASH)             | \$1,000  | 175,706.96   | 79     |
| \$1,000                          | \$1,000  | 177,959.62   | 78     |
| \$10,000                         | \$10,000 | 867,553.13   | 16     |
| \$50,000                         | \$50,000 | 1,735,106.25 | 8      |

(11) The overall odds of winning a prize are 1 in 4.36. Prizes are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1560, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for WIN WIN WIN Lottery tickets shall be made in accordance with the rule of the Florida Lottery

governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-8-2024.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 4/8/2024

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER24-15  
RULE TITLE: Game Number 1561, LOTERIA™ GRANDE

SUMMARY OF THE RULE: This emergency rule describes Game Number 1561, “LOTERIA™ GRANDE” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THIS EMERGENCY RULE IS:

**53ER24-15 Game Number 1561, LOTERIA™ GRANDE.**

(1) Name of Game. Game Number 1561, LOTERIA™ GRANDE.

(2) Game Number 1561, LOTERIA GRANDE is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. LOTERIA GRANDE Lottery tickets sell for \$5.00 per ticket.

(4) LOTERIA GRANDE Lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LOTERIA GRANDE Lottery ticket, the ticket must meet the applicable requirements of Rule 53ER23-20, Payment of Prizes, F.A.C.

(5) Play symbols and play symbol captions that may appear in the CALLER CARDS play area and the BONUS CALLER CARD play area:



(6) Legends:

CALLER CARDS      BONUS

(7) Determination of Prizewinners.

(a) There are two (2) PLAYING BOARDs on a ticket. Each PLAYING BOARD is played separately. Play symbols and corresponding symbol captions from one PLAYING BOARD cannot be used in the other PLAYING BOARD. Prizes from one PLAYING BOARD cannot be applied to the other PLAYING BOARD. A player may win on both PLAYING BOARDs.

There are fourteen CALLER CARDS and one BONUS CALLER CARD. All fifteen caller cards are used. Players match the play symbols and corresponding play symbol captions on the CALLER CARDS and BONUS CALLER CARD to the play symbols and corresponding play symbol captions on each PLAYING BOARD. A PLAYING BOARD having a total of four (4) matching play symbols and corresponding play symbol captions in any one complete horizontal or vertical line shall entitle the player to the prize shown for that line. If the BONUS CALLER CARD is used to complete a horizontal or vertical line, the player is entitled to two times (i.e., “double”) the prize shown for that line. Completed diagonal lines are not considered winning lines and shall not constitute entitlement to a prize.

(b) The possible prizes for the top PLAYING BOARD on the ticket are: \$5, \$15, \$25, \$50, \$75, \$100, \$200, \$500.

(c) The possible prizes for the bottom PLAYING BOARD on the ticket are: \$10; \$20; \$30; \$100; \$200; \$1,000; \$10,000; \$1,000,000.

(8) \$1,000,000 Prize; Payment Options.

(a) A winner of a \$1,000,000 prize may choose one of two payment options for receiving his/her prize: One-Time Cash Payment or Annual Payments. At the time the \$1,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the One-Time Cash Payment. If a winner does not choose the One-Time Cash Payment within the sixty (60) day timeframe, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner’s chosen option, the election of that option shall be final. The Annual Payment method of payment will also be final when it is applied due to a \$1,000,000 prize winner not making his/her payment election within sixty (60) days after the player claim instructions ticket is produced.

(b) A winner of a \$1,000,000 prize who elects the One-Time Cash Payment shall receive a single cash payment of \$640,000.00, less applicable federal income tax withholding.

(c) Annual Payments will be paid in twenty-five (25) equal annual installments. A winner of a \$1,000,000 prize who elects the Annual Payment option, or has it applied, shall receive

annual installments of \$40,000.00 per year, less applicable federal tax withholding.

(9) The odds of winning, value, and number of prizes in Game Number 1561 are:

| GAME PLAY                 | WIN  | ODDS OF 1 IN | NUMBER OF WINNERS IN 151.78 POOLS OF 120,000 TICKETS PER POOL |
|---------------------------|------|--------------|---|
| \$5                       | \$5  | 10.00        | 1,821,334   |
| \$5 (BONUS)               | \$10 | 15.00        | 1,214,084   |
| \$10                      | \$10 | 29.99        | 607,343   |
| \$5 + \$10                | \$15 | 100.04       | 182,060   |
| \$15                      | \$15 | 149.91       | 121,496   |
| \$5 (BONUS) + \$10        | \$20 | 300.16       | 60,679  |
| \$10 (BONUS)              | \$20 | 150.05       | 121,381   |
| \$5 + \$15                | \$20 | 299.59       | 60,795  |
| \$20                      | \$20 | 300.05       | 60,701  |
| \$5 + \$10 (BONUS)        | \$25 | 1,198.56     | 15,196  |
| \$5 (BONUS) + \$15        | \$25 | 1,197.54     | 15,209  |
| \$5 + \$20                | \$25 | 1,199.67     | 15,182  |
| \$10 + \$15               | \$25 | 1,204.51     | 15,121  |
| \$25                      | \$25 | 1,196.52     | 15,222  |
| \$5 (BONUS) + \$20        | \$30 | 1,202.84     | 15,142  |
| \$10 + \$20               | \$30 | 1,199.67     | 15,182  |
| \$5 + \$10 + \$15         | \$30 | 1,204.03     | 15,127  |
| \$15 (BONUS)              | \$30 | 1,204.11     | 15,126  |
| \$5 + \$25                | \$30 | 1,196.91     | 15,217  |
| \$30                      | \$30 | 1,196.67     | 15,220  |
| \$10 + \$20 (BONUS)       | \$50 | 3,075.02     | 5,923   |
| \$5 + \$10 + \$15 + \$20  | \$50 | 3,154.37     | 5,774   |
| \$15 (BONUS) + \$20       | \$50 | 3,063.64     | 5,945   |
| \$10 + \$15 + \$25        | \$50 | 3,176.93     | 5,733   |
| \$25 (BONUS)              | \$50 | 3,087.01     | 5,900   |
| \$5 + \$15 + \$30         | \$50 | 3,138.61     | 5,803   |
| \$10 (BONUS) + \$30       | \$50 | 3,065.19     | 5,942   |
| \$20 + \$30               | \$50 | 3,150.01     | 5,782   |
| \$5 (BONUS) + \$10 + \$30 | \$50 | 3,077.10     | 5,919   |
| \$50                      | \$50 | 3,169.19     | 5,747   |
| \$5 + \$10 + \$30 (BONUS) | \$75 | 4,613.31     | 3,948   |
| \$5 + \$10 (BONUS) + \$50 | \$75 | 4,621.51     | 3,941   |

|                                     |              |              |       |
|-------------------------------------|--------------|--------------|-------|
| \$10 + \$15 + \$50                  | \$75         | 5,727.47     | 3,180 |
| \$10 + \$20 (BONUS) + \$25          | \$75         | 4,622.68     | 3,940 |
| \$25 + \$50                         | \$75         | 5,659.84     | 3,218 |
| \$75                                | \$75         | 6,016.97     | 3,027 |
| \$15 (BONUS) + \$20 + \$50          | \$100        | 1,844.39     | 9,875 |
| \$10 + \$15 + \$75                  | \$100        | 2,005.66     | 9,081 |
| \$10 + \$20 (BONUS) + \$50          | \$100        | 1,850.76     | 9,841 |
| \$25 + \$75                         | \$100        | 2,005.66     | 9,081 |
| \$15 + \$25 + \$30 (BONUS)          | \$100        | 1,844.58     | 9,874 |
| \$25 (BONUS) + \$50                 | \$100        | 1,847.38     | 9,859 |
| \$50 (BONUS)                        | \$100        | 1,992.93     | 9,139 |
| \$100                               | \$100        | 2,005.66     | 9,081 |
| \$25 (BONUS) + \$50 + \$100         | \$200        | 19,927.09    | 914   |
| \$25 + \$75 + \$100                 | \$200        | 19,927.09    | 914   |
| \$50 (BONUS) + \$100                | \$200        | 20,036.70    | 909   |
| \$100 x 2                           | \$200        | 20,125.26    | 905   |
| \$100 (BONUS)                       | \$200        | 20,395.70    | 893   |
| \$200                               | \$200        | 19,775.64    | 921   |
| \$50 + \$75 (BONUS) + \$100 + \$200 | \$500        | 24,123.66    | 755   |
| \$100 + \$100 (BONUS) + \$200       | \$500        | 23,777.23    | 766   |
| \$100 + (\$200 x 2)                 | \$500        | 30,406.28    | 599   |
| \$100 + \$200 (BONUS)               | \$500        | 30,005.54    | 607   |
| \$500                               | \$500        | 30,005.54    | 607   |
| \$100 + \$200 (BONUS) + \$500       | \$1,000      | 40,295.04    | 452   |
| \$500 (BONUS)                       | \$1,000      | 40,117.53    | 454   |
| \$1,000                             | \$1,000      | 40,206.09    | 453   |
| \$10,000                            | \$10,000     | 118,268.57   | 154   |
| \$1,000,000 (\$40K/YR/25Y RS)*      | \$1,000,000* | 3,035,560.00 | 6     |

\*Prize amount if the Annual Payment method is chosen or has it applied. If the One-Time Cash Payment method is chosen, the amount paid is in accordance with subsection (8), above.

(10) The overall odds of winning a prize are 1 in 3.97. Prizes are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes

occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Game Number 1561, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for Game Number 1561, LOTERIA™ GRANDE Lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-8-24.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 4/8/2024

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER24-16  
RULE TITLE: Game Number 1562, GOLD RUSH LEGACY

SUMMARY OF THE RULE: This emergency rule describes Game Number 1562, "GOLD RUSH LEGACY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THIS EMERGENCY RULE IS:

**53ER24-16 Game Number 1562, GOLD RUSH LEGACY.**

(1) Name of Game. Game Number 1562, GOLD RUSH LEGACY.

(2) Game Number 1562, GOLD RUSH LEGACY is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. GOLD RUSH LEGACY Lottery tickets sell for \$20.00 per ticket.

(4) GOLD RUSH LEGACY Lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning GOLD RUSH

LEGACY Lottery ticket, the ticket must meet the applicable requirements of Rule 53ER23-20, Payment of Prizes, F.A.C.

(5) Play symbols and play symbol captions that may appear in the YOUR NUMBERS play area:

|              |              |              |                 |              |              |              |              |              |             |
|--------------|--------------|--------------|-----------------|--------------|--------------|--------------|--------------|--------------|-------------|
| 1<br>ONE     | 2<br>TWO     | 3<br>THREE   | 4<br>FOUR       | 5<br>FIVE    | 6<br>SIX     | 7<br>SEVEN   | 8<br>EIGHT   | 9<br>NINE    | 10<br>TEN   |
| 11<br>ELEVN  | 12<br>TWELV  | 13<br>THRTN  | 14<br>FORTN     | 15<br>FIFTN  | 16<br>SIXTN  | 17<br>SVNTN  | 18<br>EGHTN  | 19<br>NINTN  | 20<br>TWNTY |
| 21<br>THYONE | 22<br>THYTWO | 23<br>THYTHR | 24<br>THYFOR    | 25<br>THYFIV | 26<br>THYSIX | 27<br>THYSVN | 28<br>THYEGT | 29<br>THYNIN | 30<br>THRTY |
| 31<br>THYONE | 32<br>THYTWO | 33<br>THYTHR | 34<br>THYFOR    | 35<br>THYFIV | 36<br>THYSIX | 37<br>THYSVN | 38<br>THYEGT | 39<br>THYNIN | 40<br>FRTY  |
| HIN\$X       | HIN10X       | 24K HIN20X   | LEGACY HIN\$500 |              |              |              |              |              |             |

(6) Play symbols and play symbol captions that may appear in the WINNING NUMBERS and the BONUS spot play areas:

|              |              |              |              |              |              |              |              |              |             |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|
| 1<br>ONE     | 2<br>TWO     | 3<br>THREE   | 4<br>FOUR    | 5<br>FIVE    | 6<br>SIX     | 7<br>SEVEN   | 8<br>EIGHT   | 9<br>NINE    | 10<br>TEN   |
| 11<br>ELEVN  | 12<br>TWELV  | 13<br>THRTN  | 14<br>FORTN  | 15<br>FIFTN  | 16<br>SIXTN  | 17<br>SVNTN  | 18<br>EGHTN  | 19<br>NINTN  | 20<br>TWNTY |
| 21<br>THYONE | 22<br>THYTWO | 23<br>THYTHR | 24<br>THYFOR | 25<br>THYFIV | 26<br>THYSIX | 27<br>THYSVN | 28<br>THYEGT | 29<br>THYNIN | 30<br>THRTY |
| 31<br>THYONE | 32<br>THYTWO | 33<br>THYTHR | 34<br>THYFOR | 35<br>THYFIV | 36<br>THYSIX | 37<br>THYSVN | 38<br>THYEGT | 39<br>THYNIN | 40<br>FRTY  |

(7) Prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area:

|                  |                  |                   |                     |                      |                              |                             |                                  |                  |
|------------------|------------------|-------------------|---------------------|----------------------|------------------------------|-----------------------------|----------------------------------|------------------|
| \$2.00<br>TWO    | \$5.00<br>FIVE   | \$10.00<br>TEN    | \$15.00<br>FIFTEEN  | \$20.00<br>TWENTY    | \$25.00<br>TRY FIVE          | \$30.00<br>THIRTY           | \$40.00<br>FORTY                 | \$50.00<br>FIFTY |
| \$100<br>ONE HUN | \$200<br>TWO HUN | \$500<br>FIVE HUN | \$1,000<br>ONE THOU | \$10,000<br>TEN THOU | \$25,000<br>TWENTY FIVE THOU | \$100,000<br>\$40K/10-25YRS | \$100,000,000<br>\$400K/10-25YRS |                  |

(8) Legends:

WINNING NUMBERS      YOUR NUMBERS

(9) BONUS Legends:

\$100 BONUS      \$500 BONUS      \$1,000 BONUS

(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the player

to the prize shown for that symbol. A ticket having a symbol and symbol caption in the YOUR NUMBERS play area shall entitle the player to five (5) times the prize shown for that

symbol. A ticket having a symbol and symbol caption in the YOUR NUMBERS play area shall entitle the player to ten (10) times the prize shown for that symbol. A ticket having a

symbol and symbol caption in the YOUR NUMBERS play area shall entitle the player to twenty (20) times the prize

shown for that symbol. A ticket having a symbol and

symbol caption in the YOUR NUMBERS play area shall entitle the player to \$500.

(b) BONUS spot play areas. There are three BONUS spot play areas; each is played separately. A number or prize in one BONUS spot play area cannot be applied to another BONUS spot play area. A player matching any of the WINNING NUMBERS play symbols and corresponding play symbol captions with a play symbol and corresponding play symbol caption in a BONUS spot play area shall entitle the player to the prize shown in that spot. Possible BONUS spot prizes are: \$100, \$500, \$1,000.

(11) \$1,000,000 and \$10,000,000 Prizes - Payment Options.

(a) A winner of a \$1,000,000 or \$10,000,000 prize may choose one of two payment options for receiving his/her prize. Payment options are One-Time Cash Payment or Annual Payments. At the time the prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the One-Time Cash Payment. If a winner does not choose the One-Time Cash Payment within the sixty (60) day timeframe, the Annual Payment method will be applied. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. The Annual Payment method of payment will also be final when it is applied due to a winner not making his/her payment election within sixty (60) days after the player claim instructions ticket is produced.

(b) \$1,000,000 Prize.

1. A winner of a \$1,000,000 prize who chooses the One-Time Cash Payment shall receive a single cash payment of \$640,000.00, less applicable federal income tax withholding.

2. A winner of a \$1,000,000 prize who elects the Annual Payment method, or has it applied, shall receive twenty-five (25) equal annual installments of \$40,000.00, less applicable federal tax withholding.

(c) \$10,000,000 Prize.

1. A winner of a \$10,000,000 prize who chooses the One-Time Cash Payment shall receive a single cash payment of \$6,030,000.00, less applicable federal income tax withholding.

2. A winner of a \$10,000,000 prize who elects the Annual Payment method, or has it applied, shall receive twenty-five (25) equal annual installments of \$400,000.00, less applicable federal tax withholding.

(12) The odds of winning, value, and number of prizes in Game Number 1562 are:

| GAME PLAY                            | WIN   | ODDS OF 1 IN | NUMBER OF WINNERS IN 501.43 POOLS OF 120,000 TICKETS PER POOL |
|--------------------------------------|-------|--------------|---|
| \$2 (COINS)                          | \$20  | 15.00        | 4,012,031   |
| \$2 (NUGGET) + \$10                  | \$20  | 30.00        | 2,005,710   |
| \$10 x 2                             | \$20  | 30.00        | 2,005,710   |
| \$5 x 4                              | \$20  | 30.00        | 2,005,988   |
| \$20                                 | \$20  | 74.97        | 802,584   |
| \$5 + \$5 (NUGGET)                   | \$30  | 75.00        | 802,241   |
| \$2 (COINS) + \$10                   | \$30  | 75.02        | 802,103   |
| \$10 x 3                             | \$30  | 149.92       | 401,366   |
| \$10 + \$20                          | \$30  | 150.02       | 401,088   |
| \$30                                 | \$30  | 75.03        | 801,973   |
| \$5 + \$5 (NUGGET) + \$10            | \$40  | 150.00       | 401,153   |
| \$2 (NUGGET) + (\$10 x 3)            | \$40  | 150.02       | 401,088   |
| \$2 (COINS) + \$20                   | \$40  | 149.97       | 401,218   |
| \$20 x 2                             | \$40  | 150.02       | 401,088   |
| \$40                                 | \$40  | 150.10       | 400,885   |
| \$5 x 10                             | \$50  | 150.10       | 400,885   |
| \$5 (COINS)                          | \$50  | 150.02       | 401,088   |
| \$10 + (\$20 x 2)                    | \$50  | 149.97       | 401,218   |
| \$10 (NUGGET)                        | \$50  | 150.00       | 401,153   |
| \$50                                 | \$50  | 149.92       | 401,366   |
| \$10 (COINS)                         | \$100 | 282.29       | 213,152   |
| \$10 (NUGGET) + \$50                 | \$100 | 282.22       | 213,208   |
| (\$10 x 2) + (\$15 x 2) + (\$25 x 2) | \$100 | 282.37       | 213,092   |
| \$5 (24K)                            | \$100 | 282.39       | 213,078   |
| (\$20 x 2) + (\$30 x 2)              | \$100 | 282.12       | 213,285   |
| \$50 x 2                             | \$100 | 282.45       | 213,032   |
| \$100                                | \$100 | 282.29       | 213,155   |
| \$10 x 20                            | \$200 | 959.72       | 62,697  |
| \$20 (NUGGET) x 2                    | \$200 | 961.36       | 62,590  |
| \$20 (COINS)                         | \$200 | 961.88       | 62,556  |
| \$10 (24K)                           | \$200 | 959.79       | 62,692  |
| \$100 x 2                            | \$200 | 960.47       | 62,648  |
| \$200                                | \$200 | 961.11       | 62,606  |
| \$50 x 10                            | \$500 | 1,200.09     | 50,139  |
| \$50 (COINS)                         | \$500 | 1,201.26     | 50,090  |

|   |               |               |        |
|---|---------------|---------------|--------|
| $(\$50 \times 4) + (\$100 \times 3)$  | \$500         | 1,202.10      | 50,055 |
| \$100 (NUGGET)  | \$500         | 1,198.51      | 50,205 |
| $(\$100 \times 3) + (\$50 \times 2) + (\$30 \times 2) + (\$20 \times 2)$                | \$500         | 1,202.08      | 50,056 |
| \$500 (GOLD BAR)  | \$500         | 1,143.53      | 52,619 |
| \$50 x 20   | \$1,000       | 118,447.44    | 508    |
| $(\$50 \times 2) + (\$100 \times 2) + \$200 + \$500$ (GOLD BAR)                         | \$1,000       | 120,825.90    | 498    |
| \$100 (COINS)   | \$1,000       | 120,102.40    | 501    |
| \$50 (24K)  | \$1,000       | 118,681.07    | 507    |
| $(\$100 \times 5) + \$500$ (GOLD BAR)   | \$1,000       | 121,558.18    | 495    |
| \$1,000   | \$1,000       | 121,069.01    | 497    |
| $(\$50 \times 10) + (\$500 \times 2) + (\$1,000 \times 8) + \$200 + \$100 + \$10$ (24K) | \$10,000      | 1,203,426.00  | 50     |
| \$1,000 (NUGGET) + $(\$1,000 \times 5)$   | \$10,000      | 1,203,426.00  | 50     |
| \$10,000  | \$10,000      | 1,203,426.00  | 50     |
| \$25,000  | \$25,000      | 376,070.63    | 160    |
| \$1,000,000 (\$40K/YR/25YRS)*   | \$1,000,000*  | 3,008,565.00  | 20     |
| \$10,000,000 (\$400K/YR/25YRS)*   | \$10,000,000* | 15,042,825.00 | 4      |

\*Prize amount if the Annual Payment method is chosen or has it applied. If the One-Time Cash Payment method is chosen, the amount paid is in accordance with subsection (11), as applicable, above.

(13) The overall odds of winning a prize are 1 in 2.97. Prizes are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(14) For reorders of Game Number 1562, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(15) Payment of prizes for GOLD RUSH LEGACY Lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of

the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 4-8-2024.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 4/8/2024

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 04, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from EJ North LLC located In Orlando. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

69J-7.001 The My Safe Florida Home Program

NOTICE IS HEREBY GIVEN that on April 03, 2024, the Department of Financial Services, received a petition for Jayne Kirkman. Jayne Kirkman is requesting that the Department of Financial Services grant a Waiver from subsection 69J-7.001(5) of the Florida Administrative Code regarding the “Improvement 4 – Opening Protection (Windows)”

requirements that are located on pages 12 and 13 of form DFS-01-001, Homeowner’s Guide.

Comments on this Petition should be filed with the DFS Agency Clerk via mail at 200 East Gaines Street, 612 Larson Building, Tallahassee, Florida 32399-0333; via fax at (850) 488-0697; or via email at DFSAgencyClerk@myfloridacfo.com within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the DFS Agency Clerk at any of the contacts above or by telephone at (850) 413-4279.

**FLORIDA GAMING CONTROL COMMISSION**

**RULE NO.: RULE TITLE:**

75-14.047 Facility Based Monitoring System and Computer Diagnostics

The Florida Gaming Control Commission hereby gives notice: The Florida Gaming Control Commission hereby gives notice: On March 15, 2024, the Commission issued an order. The Order was in response to a Petition for Variance / Waiver from Rule 75-14.047 of the Florida Administrative Code (“Petition”), filed July 17, 2023, by PPI, Inc., d/b/a Harrah’s Pompano Beach and advertised on August 1, 2023, in Vol. 48, No. 149, of the Florida Administrative Register. Rule 75-14.047 of the Code sets forth requirements for facility based monitoring systems in licensed slot machine gaming facilities in the state of Florida. No comments were received in response to the petition. The Order denies Petitioner’s request for a variance or waiver from Rule 75-14.047 of the Code because the Petition fails to demonstrate that the purpose of the underlying statute will be achieved by other means and that the application of the rule from which the waiver is sought would create a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: A copy of the Order may be obtained by contacting the Clerk of the Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, Florida 32399 or clerk@flgaming.gov.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The Florida Agricultural Museum Board of Trustees Committee and Regular Board Meetings announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2024, 10:00 a.m. (Committee Meeting), 11:00 a.m. (Board Meeting)

PLACE: Flagler County Princess Place, 2500 Princess Place Road, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick, O: (386) 446-7630, C: (386) 527-1467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick, O: (386) 446-7630, C: (386) 527-1467. 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: Kara Hoblick, O: (386) 446-7630, C: (386) 527-1467.

**DEPARTMENT OF EDUCATION**

Division of Blind Services

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2024, 2:00 p.m.

PLACE: Teleconference number: 888-585-9008, Code: 319035377#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Client Satisfaction Survey Subcommittee Meeting.

A copy of the agenda may be obtained by contacting: No agenda

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: Division of Blind Services, (850)245-0300. 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: (850)245-9305 or email: DBSRehabCouncil@dbs.fldoe.org.

**DEPARTMENT OF EDUCATION**

Division of Blind Services

The Blind Services Foundation and The Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 17, 2024, 2:00 p.m.

PLACE: (888)585-9008, Code: 319035377#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: No Agenda

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: Division of Blind Services, (850)245-0300. 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: (850)245-9305 or email: DBSRehabCouncil@dbs.fldoe.org.

**DEPARTMENT OF EDUCATION**

**Division of Blind Services**

The Blind Services Foundation and The Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2024, 11:00 a.m.

PLACE: (888)585-9008, Code: 319035377#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Projects Update:

Senior Equipment and Training

Apprenticeship Program

White Cane Education

A copy of the agenda may be obtained by contacting: No agenda

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: Division of Blind Services, (850)245-0300. 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: (850)245-9305 or email: DBSRehabCouncil@dbs.fldoe.org.

**REGIONAL PLANNING COUNCILS**

**Emerald Coast Regional Council**

The Okaloosa-Walton Transportation Planning Organization (TPO) announces a workshop to which all persons are invited.

DATES AND TIMES: Thursday, April 11, 2024, 1:00 p.m.; Thursday, April 11, 2024, 4:30 p.m.

PLACE: Fort Walton Beach Library, 185 Miracle Strip Pkwy SE, Fort Walton Beach, FL 32548

Please note corrected address - Freeport Community Center, 902 State Road Highway 20 East, Suite 102

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Okaloosa-Walton TPO Board will host two 2045 Long Range Transportation Plan Amendment public workshops on Thursday, April 11, 2024.

Workshop #1 will be held on Thursday, April 11, 2024 at 1:00 p.m. at Fort Walton Beach Library, 185 Miracle Strip Pkwy SE, Fort Walton Beach, FL 32548.

Workshop #2 will be held on Thursday, April 11, 2024 at 4:30 p.m. at Freeport Community Center, 902 State Road Highway 20 East, Suite 102 Freeport, FL, 32439.

**PUBLIC FORUM**

Public input is valuable to the TPO, we encourage our communities to submit input through a variety of avenues.

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 marketing@ecrc.org with additional questions or concerns. Comments can be submitted via eComment Card, email, or phone. Visit ecrc.org/OWTPOMeetings to learn more.

The Okaloosa-Walton TPO 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: Jill Nobles at jill.nobles@ecrc.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Marketing Team toll-free at (800)226-8914 or TTY 711. 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 solicited 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, ext. 220. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

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

PLACE: This is a meeting conducted by means of communications media technology via Microsoft Teams. The link is available at <https://www.swfwmd.state.fl.us/about/calendar/environmental-advisory-committee-meeting-4>. An additional telephone



connection is available at 786-749-6127, conference code 494-408-87#.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Environmental Advisory Committee Meeting. To discuss committee business. All or part of this meeting may be conducted by means of communications media technology (CMT) to permit maximum participation of committee members. One or more Governing Board members may attend and participate in the meeting via CMT. Additional instructions regarding viewing of and participation in the meeting are available at [WaterMatters.org](http://WaterMatters.org) or by calling 1-800-423-1476 and requesting assistance.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or email: [ADACoordinator@WaterMatters.org](mailto:ADACoordinator@WaterMatters.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: [Barbara.Matrone@WaterMatters.org](mailto:Barbara.Matrone@WaterMatters.org); 352-325-5772 EXE0903

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 17, 2024, 10:00 a.m. – 12:00 p.m.

**PLACE:**

<https://attendee.gotowebinar.com/register/2952316702239727449>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Blood Clot and Pulmonary Embolism Workgroup established by Senate Bill 612; Section 408.0621, Florida Statutes.

A copy of the agenda may be obtained by contacting: [BCPEP@ahca.myflorida.com](mailto:BCPEP@ahca.myflorida.com)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: [BCPEP@ahca.myflorida.com](mailto:BCPEP@ahca.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [BCPEP@ahca.myflorida.com](mailto:BCPEP@ahca.myflorida.com)

**DEPARTMENT OF HEALTH**

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, May 31, 2024, 9:00 a.m.

**PLACE:** Marriott Tampa Westshore, Tampa, Florida 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

General board business to include licensure.

A copy of the agenda may be obtained by contacting: <https://floridasclincallabs.gov>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850) 245-4355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: [MQA.Clinicallab@flhealth.gov](mailto:MQA.Clinicallab@flhealth.gov)

**DEPARTMENT OF HEALTH**

Division of Family Health Services

The Florida Department of Health, Division of Public Health Statistics and Performance Management announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 24, 2023, 11:00 a.m. EST

**PLACE:** Virtual via Microsoft Teams Link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MDgwMDg1OTEtMmUxYy00YjI4LWEzZmZUtYmY5Yzg0YzIzOTNi%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%220b10ad5e-4682-4be7-9c77-fcb5313f7f44%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDgwMDg1OTEtMmUxYy00YjI4LWEzZmZUtYmY5Yzg0YzIzOTNi%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%220b10ad5e-4682-4be7-9c77-fcb5313f7f44%22%7d)

Or call in (audio only): 850-792-1375, Phone Conference ID: 865 841 701#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Health, Division of Public Health Statistics and Performance Management is conducting the Rare Disease Advisory Council meeting. The Council was created in Section 381.99, Florida Statutes, for the purpose of providing recommendations to improve health outcomes for individuals residing in Florida who have a rare disease.

A copy of the agenda may be obtained by contacting: Maggie Dilger at [maggie.dilger@flhealth.gov](mailto:maggie.dilger@flhealth.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Maggie Dilger at [maggie.dilger@flhealth.gov](mailto:maggie.dilger@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maggie Dilger at [maggie.dilger@flhealth.gov](mailto:maggie.dilger@flhealth.gov)

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2024, 12:00 p.m.

PLACE: 3315 Tamiami Trail, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Collier County Alliance Meeting.

A copy of the agenda may be obtained by contacting: Janet Schreyer-janet.schreyer@myflfamilies.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Schreyer-janet.schreyer@myflfamilies.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: Janet Schreyer-janet.schreyer@myflfamilies.com

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2024, 9:00 a.m.

PLACE: 21500 Gibraltar Drive, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Charlotte County Alliance Meeting.

A copy of the agenda may be obtained by contacting: Janet Schreyer-janet.schreyer@myflfamilies.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Schreyer-janet.schreyer@myflfamilies.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: Janet Schreyer-janet.schreyer@myflfamilies.com

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: The workshop scheduled for April 16, 2024, 2:00 p.m. has been cancelled.

PLACE: 227 N. Bronough Street, Suite 5000, Tallahassee, Florida, and via webinar.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop that was scheduled regarding Request for Applications (RFA) 2024-215 Live Local SAIL Financing For Developments Near Military Installations has been cancelled. It will be rescheduled to occur at a later date.

A copy of the agenda may be obtained by contacting: Bryan A. Barber, (850)488-4197.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: May 1, 2024, 8:30 a.m.; May 2, 2024, 8:30 a.m.

PLACE: Embry-Riddle Aeronautical University, Mori Hosseini Student Union Event Center, 610 Aerospace Boulevard, Daytona Beach, Florida, 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC) will have a meeting to review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn generally about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, Florida 32399-1600 or at <https://myfwc.com/about/commission/commission-meetings/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are

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

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

For more information, you may contact: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)488-4676.

**NORTHWEST FLORIDA AREA AGENCY ON AGING**

The Northwest Florida Area Agency on Aging announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2024, 6:00 p.m.

PLACE: Northwest Florida Area Agency on Aging

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** During the regularly scheduled Board of Director's meeting, the Board will vote on proposed changes to the Bylaws as presented during the March 28, 2024 meeting.

A copy of the agenda may be obtained by contacting: Anna Dyess at 850-494-7101

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Anna Dyess at 850-494-7101. 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: Anna Dyess at 850-494-7101

**CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.**

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2024, 8:30 a.m.

PLACE: 720 N Denning Drive, Winter Park, FL 32789

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Development Committee Meeting.

A copy of the agenda may be obtained by contacting: Maria Diaz

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: Maria Diaz. 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).

**CONCRETE MASONRY EDUCATION COUNCIL**

The Florida Concrete Masonry Education Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2024, 9:30 a.m.

PLACE: Video-Conference Meeting - Microsoft Teams

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting:

Jennifer Starr, Interim Executive Director, at: [jstarr@pcgus.com](mailto:jstarr@pcgus.com) or via the Council's website: <http://www.floridamasonrycouncil.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jennifer Starr, Interim Executive Director, at [jstarr@pcgus.com](mailto:jstarr@pcgus.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jennifer Starr, Interim Executive Director, at: [jstarr@pcgus.com](mailto:jstarr@pcgus.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

University of West Florida

CALL FOR QUALIFICATIONS

Satellite Utilities Plant Design Professional – Architectural and Engineering Services

23PQS-07BBH

The University of West Florida Board of Trustees invites qualified firms to respond to a formal solicitation for professional qualifications to provide professional architectural and engineering services, Advanced Program Analysis, Design, Cost Analysis and Construction Documents for the new Satellite Utilities Plant on the main campus in Pensacola, FL.

Solicitation documents, and all related information, may be downloaded from BidNet Direct at <https://www.bidnetdirect.com/florida/university-of-west-florida>.

Mandatory Pre-Submittal Meeting – Interested firms are required to attend a mandatory pre-submittal meeting to participate in this solicitation. The mandatory meeting is scheduled for Wednesday, April 24, 2024 at 9:00 a.m. Central Time in Building 92, Room 110, located at University of West Florida, 11000 University Parkway, Pensacola, FL 32514. Access Campus Map at <https://map.uwf.edu/?id=1250#!ct/41018,33038?m/362270>.

Failure of a representative from the principal respondent firm to attend the Pre-Submittal Meeting and sign in on the UWF official log as documented proof of attendance, shall result in immediate disqualification from this competitive solicitation process.

Submittals will be received through BidNet Direct until Friday, May 10, 2024 at 2:00 p.m. Central Time. Responses must be

submitted in full and in accordance with the requirements of all terms and conditions of the Professional Qualifications Solicitation.

All inquiries should be submitted through BidNet Direct. If you have questions, need help registering, accessing, viewing or submitting your response/proposal please call the following toll-free number: 1-800-835-4603 and select Option 2 for assistance.

**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, March 29, 2024, and 3:00 p.m., Thursday, April 4, 2024.

| Rule No.    | File Date | Effective Date |
|-------------|-----------|----------------|
| 19-11.001   | 4/2/2024  | 4/22/2024      |
| 19-11.002   | 4/2/2024  | 4/22/2024      |
| 19-11.003   | 4/2/2024  | 4/22/2024      |
| 19-11.004   | 4/2/2024  | 4/22/2024      |
| 19-11.006   | 4/2/2024  | 4/22/2024      |
| 19-11.007   | 4/2/2024  | 4/22/2024      |
| 19-11.008   | 4/2/2024  | 4/22/2024      |
| 19-11.009   | 4/2/2024  | 4/22/2024      |
| 19-11.012   | 4/2/2024  | 4/22/2024      |
| 19-11.014   | 4/2/2024  | 4/22/2024      |
| 53ER24-12   | 4/4/2024  | 4/8/2024       |
| 53ER24-13   | 4/4/2024  | 4/8/2024       |
| 53ER24-14   | 4/4/2024  | 4/8/2024       |
| 53ER24-15   | 4/4/2024  | 4/8/2024       |
| 53ER24-16   | 4/4/2024  | 4/8/2024       |
| 61H1-27.001 | 4/3/2024  | 4/23/2024      |
| 61H1-29.002 | 4/3/2024  | 4/23/2024      |
| 65C-46.020  | 3/29/2024 | 4/18/2024      |
| 68A-9.007   | 4/4/2024  | 4/24/2024      |
| 68A-15.005  | 3/29/2024 | 7/1/2024       |
| 68A-15.061  | 3/29/2024 | 7/1/2024       |
| 68A-25.052  | 4/4/2024  | 4/24/2024      |

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

| <b>Rule No.</b> | <b>File Date</b> | <b>Effective Date</b> |
|-----------------|------------------|-----------------------|
| 40B-400.091     | 2/8/2024         | **/**/****            |
| 40C-4.091       | 3/31/2023        | **/**/****            |
| 40C-41.043      | 3/31/2023        | **/**/****            |
| 40E-4.091       | 6/26/2023        | **/**/****            |
| 60FF1-5.009     | 7/21/2016        | **/**/****            |
| 62-330.010      | 4/28/2023        | **/**/****            |
| 62-330.050      | 4/28/2023        | **/**/****            |
| 62-330.055      | 4/28/2023        | **/**/****            |
| 62-330.301      | 4/28/2023        | **/**/****            |
| 62-330.310      | 4/28/2023        | **/**/****            |
| 62-330.311      | 4/28/2023        | **/**/****            |
| 62-330.350      | 4/28/2023        | **/**/****            |
| 62-330.405      | 4/28/2023        | **/**/****            |
| 64B8-10.003     | 12/9/2015        | **/**/****            |
| 65C-9.004       | 3/31/2022        | **/**/****            |

**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.