

Section I  
 Notice of Development of Proposed Rules  
 and Negotiated Rulemaking

NONE

Section II  
 Proposed Rules

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-1.09981       School and District Accountability

PURPOSE AND EFFECT: To incorporate changes made during the 2022 and 2023 legislative sessions, and to incorporate technical edits to include the new statewide, standardized assessments. In the 2022 legislative session, SB 1048 (CH. 2022-16, L.O.F.) amended s. 1008.34(7), F.S., to require the Department of Education to align the school grading scale so that the percentage of schools that earn an “A,” “B,” “C,” “D,” and “F” is statistically equivalent to the 2021-2022 school grades results. In the 2023 legislative session, HB 1537 (CH. 2023-39, L.O.F.) amended the school grades formula to include a standalone grade 3 English Language Arts component for schools comprised of grade levels that include grade 3.

SUMMARY: The rule must be updated to reflect changes to the school grading scale pursuant to s. 1008.34(7), F.S. The rule must also be updated to include a standalone grade 3 English Language Arts component for schools comprised of grade levels that include grade 3 pursuant to s. 1008.34(3)(b)1.j., F.S. Finally, the rule must be updated to incorporate technical edits to remove references to Florida Standards Assessments.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment incorporates the new statewide, standardized assessments into the school grading calculation according to timeline established in s. 1008.34(7), F.S. Based upon prior experience, the proposed rule amendment is not expected to have any adverse impact on economic growth

or business competitiveness or increase regulatory costs or any other factor set forth in s. 120.541(2), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02, 1008.22, 1008.34(6), 1008.345, F.S.

LAW IMPLEMENTED: 1008.22, 1008.34, 1008.345, 1008.36, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Justin Tarin, Bureau Chief, Bureau of Accountability and Reporting, Division of Accountability, Research, and Measurement, (850)245-0081.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-1.09981 School and District Accountability.**

(1) No change.

(2) Definitions. For the purpose of this rule, the following definitions shall apply:

(a) No change.

(b) “Learning gains” means that the student demonstrates growth from one (1) year to the next year sufficient to meet the criteria below. Learning gains may be demonstrated in English Language Arts and Mathematics.

1. Students with two (2) consecutive years of valid ~~Florida Standards Assessment~~ scores on the end-of-year comprehensive progress monitoring assessments or the mathematics end-of-course assessments may demonstrate learning gains in four (4) different ways.

a. Students who increase at least one (1) achievement level on the end-of-year comprehensive progress monitoring assessments or the mathematics end-of-course assessments ~~Florida Standards Assessment~~ in the same subject area.

b. Students who scored below Achievement Level 3 on the end-of-year comprehensive progress monitoring assessments or the mathematics end-of-course ~~Florida Standards Assessment~~ in the prior year and who advance from one subcategory within Achievement Level 1 or 2 in the prior year to a higher subcategory in the current year in the same subject area. Achievement Level 1 is comprised of three (3) equal subcategories, and Achievement Level 2 is comprised of two (2) equal subcategories. Subcategories are determined by dividing the scale of Achievement Level 1 into three (3) equal

parts and dividing the scale of Achievement Level 2 into two (2) equal parts. If the scale range cannot be evenly divided into three (3) equal parts for Achievement Level 1 or into two (2) equal parts for Achievement Level 2, no subcategory may be more than one (1) scale score point larger than the other subcategories; the highest subcategories shall be the smallest.

c. Students whose score remained at Achievement Level 3 or 4 on the end-of-year comprehensive progress monitoring assessments or the mathematics end-of-course Florida Standards assessments Assessment in the current year and whose scale score is greater in the current year than the prior year in the same subject area. This does not apply to students who scored in a different achievement level in the prior year in the same subject area.

d. Students who scored at Achievement Level 5 in the prior year on the end-of-year comprehensive progress monitoring assessments or the mathematics end-of-course Florida Standards assessments Assessment and who score in the same Achievement Level in the current year in the same subject area.

2. No change.

(c) "Passing" means that the student must attain a statewide standardized assessment score of Achievement Level 3 or higher.

(d) "School grade component" means the areas listed in paragraphs (4)(a), (4)(b), ~~and (4)(c), and (4)(d)~~ of this rule.

(e) through (h) No change.

(3) School Accountability Framework.

(a) through (d) No change.

(e) To ensure that student data accurately represent school performance, schools shall assess at least ninety-five (95) percent of their students to qualify for a school grade, unless the school only has sufficient data for the components found in paragraphs (4)(b), ~~and (c), and (d)~~ of this rule.

(f) through (i) No change.

(4) School Grading System. The school grade components shall be calculated as a percentage, with the possible points listed by the component.

(a) No change.

(b) School Grading Component for Elementary Schools. (100 points).

1. Beginning with the 2023-2024 school grades, the elementary school grading component shall be calculated for schools that include grade 3.

2. The elementary school component shall be calculated as a percentage of eligible students in grade 3 who passed the end-of-year comprehensive progress monitoring statewide assessment in English Language Arts Reading.

~~(c)~~ (b) School Grading Component for Middle Schools. (100 points) The middle school grading component shall be calculated for schools comprised of grades 6, 7, and 8 and schools comprised of grades 7 and 8. In addition, if a school

includes grades 6, 7, and 8 or grades 7 and 8 with other grade levels, that school shall be included in the middle school component.

1. through 3. No change.

~~(d)~~ (e) School Grading Components for High Schools. The high school grading component shall be calculated for schools comprised of grades 9, 10, 11, and 12 or grades 10, 11, and 12. In addition, if a school includes grades 9, 10, 11, and 12 or grades 10, 11, and 12, with other grade levels, that school shall be included for the high school grading component. In addition, schools comprised of grades 11 and 12 shall be eligible for the high school grading component. High school grades shall include the following components.

1. through 3. No change.

~~(e)~~ (d) Procedures for Calculating School Grades.

1. through 2. No change.

3. For the 2022-2023 school year, in accordance with s. 1008.34(7)(a), F.S., school and district grades are established so that the percentage of schools that earn an A, B, C, D, and F is statistically equivalent to the 2021-2022 school and district grades results. Letter grades shall be assigned to schools based on the percentage of total applicable points earned as follows:

~~a. Sixty two (62) percent of total applicable points or higher equals a letter grade of A;~~

~~b. Fifty four (54) to sixty one (61) percent of total applicable points equals a letter grade of B;~~

~~c. Forty one (41) to fifty three (53) percent of total applicable points equals a letter grade of C;~~

~~d. Thirty two (32) to forty (40) percent of total applicable points equals a letter grade of D; and,~~

~~e. Thirty one (31) percent of total applicable points or less equals a letter grade of F.~~

(5) through (7) No change.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, 7-16-12, 1-17-13, 5-21-13, 12-3-13, 2-9-16, 2-20-18, 7-14-21.

NAME OF PERSON ORIGINATING PROPOSED RULE: Justin Tarin, Bureau Chief, Bureau of Accountability and Reporting, Division of Accountability, Research, and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 8, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: To incorporate testing fee waiver eligibility requirements for first responders to align with changes made by House Bill (HB) 1035 during the 2023 Legislative session.

SUMMARY: To align with changes made by HB 1035 during the 2023 Legislative session, which amends Section 1012.59(3), F.S., the proposed change incorporates testing fee waiver eligibility requirements for retired first responders.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is not expected to have any adverse impact on economic growth, business competitiveness, increase regulatory costs or any other factor set forth in s. 120.541(2), F.S. and will not require legislative ratification. This is based upon the nature of the changes and experience with similar changes in the past.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.55(1), 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-4.0021 Florida Teacher Certification Examinations.**

(1) through (12) No change.

(13) Military Testing Fee Waivers.

(a) An individual is eligible for a military testing fee waiver from the Department for the first-time testing fees prescribed in paragraphs (4)(a)-(e) of this rule if he or she:

1. through 3. No change.

(b) To apply for a military testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/> along with documentation establishing that the applicant meets the requirements for a military testing fee waiver per paragraph (13)(a) of this rule. The following chart lists the required documentation.

BASIS FOR WAIVER OF FEE	FOR OF	DOCUMENTATION REQUIRED
Member of Armed Forces		Military ID card
Spouse of member of Armed Forces		Military dependent ID card (DD Form 1173)
Member of reserves		Military ID card or NGB22 Form or DD 256A Form
Spouse of member of reserves		Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1)
Honorably discharged veteran		Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)
Spouse or surviving spouse of honorably discharged veteran		DD Form 214 Member 4 of spouse and marriage certificate
Honorably discharged veteran of reserves		DD Form 214 Member 4, NGB22 Form or DD 256A Form
Spouse of honorably discharged veteran of reserves		DD Form 214 Member 4, NGB22 Form or DD 256A Form of spouse and marriage certificate
Surviving spouse of member of armed forces on active duty at time of death		Official documentation from Department of Defense
Surviving		Official documentation from

spouse of member of reserves at time of death	Department of Defense
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(c) No change.

(d) All documents submitted to verify eligibility for military testing fee waivers will be retained in the certification record maintained by the Department and will not be returned to the applicant. Approval for military testing fee waivers remain valid for five (5) years from the date issued unless a document used to verify indicates an earlier expiration date or end date of its validity and in that case, validity of the military testing fee waiver expires when the verifying document expires. In no case shall a person use or attempt to use a military testing fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S.

(e) Fees for retake examinations under subsection (4) of this rule may not be waived. Subsequent registration for any examination under subsection (4) of this rule taken before July 1, 2018, will be considered a retake and not eligible for a fee waiver under this section.

(14) Retired First Responder Testing Fee Waivers.

(a) An individual is eligible for a retired first responder testing fee waiver from the Department for the first-time testing fees prescribed in paragraphs (4)(a)-(e) of this rule if he or she:

- 1. Is a retired law enforcement officer as defined in Section 943.10(1), F.S.;
- 2. Is a retired firefighter as defined in Section 633.102(9), F.S.; or
- 3. Is a retired emergency medical technician or paramedic as defined in Section 401.23, F.S.

(b) To apply for a retired first responder testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/retiredfirstresponder/> along with documentation establishing that the applicant meets the requirements for a retired first responder testing fee waiver per paragraph (13)(a) of this rule.

(c) Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) All documents submitted to verify eligibility for retired first responder testing fee waivers will be retained in the certification record maintained by the Department and will not be returned to the applicant. Approval for retired first responder testing fee waivers remain valid for five (5) years from the date issued unless a document used to verify eligibility indicates an earlier expiration date or end date of its validity and in that case, validity of the testing fee waiver expires when the verifying

document expires. In no case, shall a person use or attempt to use a retired first responder testing fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S., and this rule.

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.55, 1012.56, 1012.59 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10, 6-21-11, 11-22-11, 8-23-12, 5-21-13, 10-22-13, 2-25-14, 12-23-14, 7-28-15, 10-26-15, 7-26-16, 2-20-17, 8-20-17, 6-19-18, 11-28-18, 4-22-19, 5-3-22, 11-23-22.

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-4.00821 Florida Educational Leadership Examination  
 PURPOSE AND EFFECT: To incorporate testing fee waiver eligibility requirements for first responders to align with changes made by House Bill (HB) 1035 during the 2023 Legislative session. Secondly, the rule amendment serves to decrease retake registration fees for the Florida Educational Leadership Examination (FELE).

SUMMARY: To align with changes made by House Bill (HB) 1035 during the 2023 Legislative session, which amends Section 1012.59(3), F.S., the proposed change incorporates testing fee waiver eligibility requirements for retired first responders. To align with Section 1012.59(1)(b)-(c), F.S., and to align with the retake fee policies for the Florida Teacher Certification Examinations (FTCE) in Rule 6A-4.0021, F.A.C., the second proposed change decreases retake registration fees for the FELE such that the retake fee for the full battery of subtests does not exceed the fee for the initial registration and the retake fee for each subtest is prorated based on the number of subtests within the examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is not expected to have any adverse impact on economic growth, business competitiveness, increase regulatory costs or any other factor set forth in s. 120.541(2), F.S. and will not require legislative ratification. This is based upon the nature of the changes and experience with similar changes in the past.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1012.55(1), 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-4.00821 Florida Educational Leadership Examination.**

(1) through (3) No change.

(4) Registration and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration agency. A completed application shall consist of the following:

1. through 2. No change.

3. ~~Beginning~~ Beginning January 1, 2015, and November 22, 2023, registration fees for the Florida Educational Leadership Examination shall be as follows:

First-Time Registration	\$215.00
Retake: Subtest 3 Single Section Registration	\$150.00
Retake: All Other Combination	\$225.00

Registrations	
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4. ~~Beginning~~ Beginning November 23, 2023, registration fees for the Florida Educational Leadership Examination shall be as follows:

<u>First-Time Registration: All Subtests (Full Battery)</u>	<u>\$215.00</u>
<u>Retake: Single Subtest Registration</u>	<u>\$53.75</u>
<u>Retake: Two Subtests Registration</u>	<u>\$107.50</u>
<u>Retake: Three Subtests Registration</u>	<u>\$161.25</u>
<u>Retake: Full Battery Registration</u>	<u>\$215.00</u>

(b) No change.

(5) through (10) No changes.

(11) Military Testing Fee Waivers.

(a) An individual is eligible for a military testing fee waiver from the ~~Department~~ for the first-time testing fees prescribed in paragraphs (4)(a)-(e) of this rule, if he or she:

1. through 3. No change.

(b) To apply for a military testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/military/> along with documentation establishing that the applicant meets the requirements for a military testing fee waiver per paragraph (11)(a) of this rule. The following chart lists the required documentation.

BASIS FOR WAIVER OF FEE	DOCUMENTATION REQUIRED
Member of Armed Forces	Military ID card
Spouse of member of Armed Forces	Military dependent ID card (DD Form 1173)
Member of reserves	Military ID card or NGB22 Form or DD 256A Form
Spouse of member of reserves	Military dependent ID card (DD Form 1173) or Military dependent ID card (DD Form 1173-1)
Honorably discharged veteran	Certificate of Release or Discharge from Active Duty (DD Form 214 Member 4)
Spouse or surviving spouse of honorably discharged veteran	DD Form 214 Member 4 of spouse and marriage certificate
Honorably discharged veteran of reserves	DD Form 214 Member 4, NGB22 Form or DD 256A Form
Spouse of honorably discharged veteran of reserves	DD Form 214 Member 4, NGB22 Form or DD 256A Form of spouse and marriage certificate

Surviving spouse of member of armed forces on active duty at time of death	Official documentation from Department of Defense
Surviving spouse of member of reserves <del>on active duty</del> at time of death	Official documentation from Department of Defense

(c) No change.

(d) All documents submitted to verify eligibility for military testing fee waivers will be retained in the certification record maintained by the Department and will not be returned to the applicant. Approval for military testing fee waivers remain valid for five (5) years from the date issued unless a document submitted indicates an earlier expiration date or end date of its validity and in that case, validity of the military testing fee waiver expires when the verifying document expires. In no case shall a person use or attempt to use a military testing fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S.

(e) Fees for retake examinations under subsection (4) of ~~if~~ this rule may not be waived. Subsequent registration for any examination under subsection (4) of this rule taken before July 1, 2018, will be considered a retake and not eligible for a fee waiver under this section.

(12) Retired First Responder Testing Fee Waivers.

(a) An individual is eligible for a retired first responder testing fee waiver from the department for the first-time testing fees prescribed in paragraph (4)(a) of this rule if he or she:

1. Is a retired law enforcement officer as defined in Section 943.10(1), F.S.;
2. Is a retired firefighter as defined in Section 633.102(9), F.S.; or
3. Is a retired emergency medical technician or paramedic as defined in Section 401.23, F.S.

(b) To apply for a retired first responder testing fee waiver, a request must be submitted via the Department of Education, Educator Certification website at <http://www.fldoe.org/teaching/certification/retiredfirstresponder/> along with documentation establishing that the applicant meets the requirements for a retired first responder testing fee waiver per paragraph (12)(a) of this rule.

(c) Where the required documentation submitted does not establish eligibility, due to a name change or other circumstance, the applicant will be notified by the Department within ninety (90) days and afforded the opportunity to submit additional documentation to verify eligibility.

(d) All documents submitted to verify eligibility for retired first responder testing fee waivers will be retained in the certification record maintained by the Department and will not be returned to the applicant. Approval for retired first responder

testing fee waivers remain valid for five (5) years from the date issued unless a document used to verify eligibility indicates an earlier expiration date or end date of its validity and in that case, validity of the testing fee waiver expires when the verifying document expires. In no case, shall a person use or attempt to use a retired first responder testing fee waiver if the person does not meet the eligibility criteria set forth in Section 1012.59(3), F.S., and this rule.

Rulemaking Authority 1012.56, 1012.59 FS. Law Implemented 1012.56, 1012.59 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98, 10-6-99, 7-17-00, 7-16-01, 3-24-02, 10-17-02, 3-24-03, 7-21-03, 6-22-04, 5-19-08, 7-21-08, 9-6-09, 12-16-12, 12-3-13, 12-23-14, 6-19-18, 11-28-18, 11-23-22,

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.03311  
 RULE TITLE: Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities

PURPOSE AND EFFECT: To reflect the updates of section 1003.5716, Florida Statutes (F.S.), during the 2023 Legislative Session. The proposed rule amendment will require earlier notification to students with disabilities and their parents regarding self-determination and the legal responsibilities of the educational decisions that transfer to the student upon age 18. Other technical changes will be made.

SUMMARY: Transfer of rights for students with disabilities.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.212, F.S.

LAW IMPLEMENTED: 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.212, F.S.

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

DATE AND TIME: October 18, 2023, 9:00 a.m.

PLACE: Caribe Royale Orlando, 8101 World Center Drive, Grand Sierra Ballroom D, Orlando, FL 32821

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chelsea Strickland, Bureau of Exceptional Student Education, (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.03311 Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities.**

Each public agency, including a school district, must establish, maintain and implement procedural safeguards that meet the requirements of this rule. A public agency means local educational agencies (LEAs), educational services agencies (ESAs), nonprofit public charter schools that are not otherwise included as LEAs or ESAs and are not a school of an LEA or ESA, and any other political subdivisions of the State that are responsible for providing education to children with disabilities.

(1) through (7) No change.

(8) Transfer of Parental Rights at the Age of Majority.

(a) through (b) No change.

(c) The public agency, including a school district, must ~~shall~~ notify the student and the parent of the transfer of rights, when the student attains the age of eighteen (18).

(d) At least one (1) year before the student reaches age eighteen (18), the public agency must provide information and instruction to the student and his or her parent on self-determination and the legal rights and responsibilities regarding the educational decisions that transfer to the student upon attaining the age of eighteen (18). The information and instruction must include a written notice that the rights afforded to parents under Part B of the Individuals with Disabilities

Education Act transfer to the student at age eighteen (18) except in specified circumstances referenced in paragraph (8)(a) of this rule, a description of the rights that transfer to the student, and the ways in which the parent may continue to participate in educational decisions, including:

1. Informed consent to grant permission to access confidential records protected under the Family Educational Rights and Privacy Act (FERPA) as provided in Section 1002.22, F.S.

2. Powers of attorney as provided in Chapter 709, F.S.

3. Guardian advocacy as provided in Section 393.12, F.S.

4. Guardianship as provided in Chapter 744, F.S.

(e) ~~(d)~~ For a student with a disability who has attained age eighteen (18) and is incarcerated in a juvenile justice facility or local correctional facility, all rights accorded to parents under this rule transfer to the student, including the right to notice as described in this rule. For students incarcerated in state correctional facilities, all rights accorded to parents under this rule transfer to the student, including notice, regardless of the age of the student.

(f) ~~(e)~~ If a student with a disability has reached the age of majority and does not have the ability to provide informed consent with respect to his or her educational program, procedures established by statute may be used by the parent to:

1. through 3. No change.

(9) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.212 FS. Law Implemented 1003.01(3), 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.212 FS. History—New 7-13-83, Amended 12-20-83, 4-26-84, Formerly 6A-6.3311, Amended 7-17-90, 9-20-04, 12-22-08, 3-25-14, 7-14-21, 6-14-22, 8-22-23.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chelsea Strickland, Bureau of Exceptional Student Education.  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2023

**DEPARTMENT OF REVENUE**

**Division of Child Support Enforcement**

RULE NOS.: RULE TITLES:

12E-1.023 Suspension of Driver License; Suspension of Motor Vehicle Registration

12E-1.036 Administrative Establishment of Paternity and Support Obligations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12E-1.023, F.A.C. (Suspension of Driver

License; Suspension of Motor Vehicle Registration), and the related form is to conform to s. 2, Chapter 2023-152, L.O.F., effective July 1, 2023. This law amends s. 61.13016(1)(c)1., F.S., to authorize a deferred start date on a payment agreement for an obligor seeking to avoid driver license suspension for delinquent child support when the obligor is participating in good faith in job training.

The purpose of the proposed amendments to Rule 12E-1.036, F.A.C. (Administrative Establishment of Paternity and Support Obligations) and related forms is to implement s. 5, Chapter 2023-152, L.O.F., effective July 1, 2023. This law amends s. 409.256(2)(a)5., F.S., to expand the use of the administrative paternity process when the caregiver is the child’s alleged father.

SUMMARY: The proposed amendments to Rule 12E-1.023, F.A.C. (Suspension of Driver License; Suspension of Motor Vehicle Registration), adopt updates to the Notice of Intent to Suspend Driver License and Motor Vehicle Registration(s) (CS-EF55) to conform to s. 2, Chapter 2023-152, L.O.F., effective July 1, 2023, authorizing a deferred start date on a payment agreement for an obligor seeking to avoid driver license suspension for delinquent child support when the obligor is participating in good faith in job training.

The proposed amendments to Rule 12E-1.036, F.A.C. (Administrative Establishment of Paternity and Support Obligations), add the Paternity Statement by Non-Parent (CS-PO102) and the Paternity Statement by Alleged Father (CS-PO103) forms to the rule as valid documents on which to base the paternity action.

**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: 409.2557(3)(i), (p), 409.256(17), 409.25633(9) FS.

LAW IMPLEMENTED: 61.13016, 322.058, 409.256, 409.2563, 409.25633 FS.

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

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: Bobby York at (850) 617-8037. 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: Bobby York, Government Analyst II, Child Support Program, Department of Revenue, P.O. Box 8030, Mail Stop 2-4464, Tallahassee, Florida 32314-8030, Telephone: (850) 617-8037.

THE FULL TEXT OF THE PROPOSED RULE IS:

**12E-1.023 Suspension of Driver License; Suspension of Motor Vehicle Registration.**

(1) through (3) No change.

(4) Notice to Obligor of Intent to Suspend Driver License; Notice to Suspend Motor Vehicle Registration.

(a) In accordance with Section 61.13016(1), F.S., the Department ~~sends shall send~~ to the obligor by regular mail a Notice of Intent to Suspend Driver License and Motor Vehicle Registration(s), Form CS-EF55, incorporated herein by reference, effective xx/xx ~~07/22~~, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx-14348>). ~~The~~ Notice is ~~shall be~~ mailed to the obligor’s address of record with the Department of Highway Safety and Motor Vehicles.

(b) through (c) No change.

(5) through (8) No change.

Rulemaking Authority 409.2557(3)(i) FS. Law Implemented 61.13016, 322.058 FS. History—New 7-20-94, Formerly 10C-25.020, Amended 3-6-02, 9-19-17, 3-25-20, 11-12-20, 11-21-21, 6-9-22, \_\_\_\_\_.

**12E-1.036 Administrative Establishment of Paternity and Support Obligations.**

(1) through (2) No change.

(3) Case Selection Criteria.

(a) ~~Except as provided in paragraph (3)(b), as allowed by~~ Section 409.256(2)(a), F.S., authorizes the Department ~~is authorized~~ to start an administrative proceeding to establish paternity or paternity and support when if the statutory criteria ~~in the statute~~ are met.

(b) No Change.

(4) ~~Statement of Mother~~ Naming an Alleged Father or Fathers. For cases meeting the criteria in subsection (3), the Department requires ~~the mother~~ a statement naming to name an alleged father or fathers.

(a) The Department uses Form CS-PO34, Paternity Declaration (incorporated by reference in Rule 12E-1.039, F.A.C.), completed and signed by the mother, to record the name of the alleged father or fathers.



(b) The Department uses Form CS-PO102, Paternity Statement by Non-Parent, (incorporated by reference in Rule 12E-1.039, F.A.C.), completed and signed by the non-parent caregiver.

(c) The Department uses Form CS-PO103, Paternity Statement by Alleged Father (incorporated by reference in Rule 12E-1.039, F.A.C.), completed and signed by the alleged father, who may or may not be the caregiver of the child.

(5) through (6) No change.

(7) Notice of Proceeding to Establish Paternity and Order to Appear for Genetic Testing.

(a) Notice of Proceeding to Establish Paternity or Paternity and Administrative Support Requirements. The Department will serve the alleged father with Form CS-OP01, Notice of Administrative Proceeding to Establish Paternity, hereby incorporated by reference, effective 1/18, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08994>), hereafter referred to as the Notice of Proceeding. The Department will send the alleged father Form CS-OP02, Order to Appear for Genetic Testing, incorporated by reference, effective 01/22, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13857>), with the Notice of Proceeding and a copy of the Paternity Declaration, CS-PO34, CS-PO102, or an affidavit that names the alleged father. The Notice of Proceeding will be served on the respondent by certified mail, restricted delivery, return receipt requested, or by any other means of service that meet the requirements for service of process in a civil action. Once served, the alleged father must notify the Department in writing of any change of address. If the alleged father does not update the Department, the Department will serve by regular mail any other document or resulting order to the address of record and the alleged father is deemed to have received them.

(b) No change.

(8) through (21) No change.

Rulemaking Authority 409.2557(3)(p), 409.256(17), 409.25633(9) FS. Law Implemented 409.256, 409.2563, 409.25633 FS. History—New 4-5-16, Amended 9-19-17, 1-17-18, 9-17-18, 8-28-19, 11-12-20, 11-21-21, 6-9-22,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bobby York

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 28, 2023

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.:           RULE TITLE:

64B9-3.0025       Remedial Courses for Reexamination

PURPOSE AND EFFECT: The Board proposes a rule amendment to update the clinical non stimulation requirement and to update remedial courses regarding provisions of sections 456.072 and 456.073, F.S.

SUMMARY: The clinical non stimulation requirement will be updated. Remedial courses regarding provisions of sections 456.072 and 456.073, F.S., will be updated.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 464.008(3) FS.

LAW IMPLEMENTED: 464.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; MQA.Nursing@flhealth.gov.

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

64B9-3.0025 Remedial Courses for Reexamination.

To meet the requirements of section 464.008(3), F.S., remedial courses must be approved by the Board, and must meet the following requirements:

(1) No change.

(2) The curriculum shall comply with the guidelines in sections 464.019(1)(f) and (g), F.S., and shall include a minimum of 80 hours didactic education and 96 hours clinical experience in medical-surgical, long term care and community-based care settings. The clinical non simulation experience requirement may only be offered within the geographical boundaries of the state of Florida.

(3) An approved remedial course is subject to the disciplinary provisions of sections 456.072 and 456.073, F.S. The board shall terminate the approval of a remedial course if the program has violated any of the disciplinary provisions of section 456.072, F.S., or for violating any provision of this rule. The program must not be on probation and in good standing for the program level type of the course offered.

(4) If a remedial course has been terminated in accordance with the provisions of this rule, any operator, approved program, owner, affiliate, or any party having any financial interest in the terminated remedial program shall not be approved to offer a remedial course.

Rulemaking Authority 464.008(3) FS. Law Implemented 464.008(3) FS. History—New 3-23-00, Amended 10-25-10, 11-8-16, 2-11-19,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2023  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 11, 2023

**DEPARTMENT OF COMMERCE**

**Division of Community Development**

RULE NOS.:	RULE TITLES:
73C-60.001	Definitions
73C-60.002	Real Estate Transactions Prior to July 1, 2023
73C-60.003	Registration
73C-60.004	Computation of Time
73C-60.005	Fines
73C-60.006	Liens
73C-60.007	Rebuttable Presumption

PURPOSE AND EFFECT: To create a rule that aligns with new legislative changes from Senate Bill 264 from the 2023 Legislative Session that prohibits the purchase of real property on or around military installations or critical infrastructure facilities by foreign principals.

SUMMARY: These new rules will provide foreign principals with the registration form and necessary information about the registration of real property on or within 10 miles of any

military installation or critical infrastructure facility in this state.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has previously reviewed the statutory requirements and determined that the proposed new rules will not have an adverse impact or associated regulatory cost that exceeds any of the criteria set forth in section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 692.203(10), F.S.

LAW IMPLEMENTED: 692.203, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Gates, Department of Commerce, 107 E. Madison Street, MSC 110, Tallahassee, FL 32399, karen.gates@commerce.fl.gov, (850) 245-7150.

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

73C-60.001 Definitions

For the purpose of administering section 692.203, F.S., and these rules, the following definitions apply:

(1) “Clear and present danger” means an immediate danger to the public health, safety, or welfare or other substantial loss to the state.

(2) For the purpose of interpreting the definition of “foreign principal” in section 692.201(4), F.S., “controlling interest” has the same meaning as defined in section 287.138(1)(a), F.S.

(3) For the purpose of administering section 692.203(1), F.S., “controlling interest in real property” means any interest other than a lease which gives the foreign principal both of the following rights, whether or not the rights are exercised or shared concurrently with any other person, and whether or not

the underlying real property is subject to an easement or other encumbrance:

(a) The right to improve or develop the real property; and

(b) The right to attach fixed or immovable structures or objects to the real property.

(4) “De minimis indirect interest” means:

(a) Any interest that is the result of the foreign principal’s ownership of either:

1. Registered equities in a publicly traded company owning the land and such ownership interest is less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

2. An interest that is not a controlling interest as defined in section 287.138(1)(a), F.S., in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment advisor under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(b) Any passive ownership interest of a foreign principal in an entity, provided that the foreign principal does not possess, by virtue of that ownership interest or otherwise, the power to direct or cause the direction of the management or policies of the entity with respect to the interest in real property.

(5) “Department” means the Florida Department of Commerce.

(6) “Directly own” means the foreign principal holds equitable or legal title to the real property in their own name.

(7) “Domicile” means the place where the individual is physically present and intends to remain permanently or indefinitely.

(8) “Foreign principal” has the same meaning as defined in section 692.201(4), F.S. Individuals approved by the federal government to participate in the EB-5 Program are excluded from this definition.

(9) “Indirectly own” means the foreign principal has an interest in an entity that has equitable or legal title to the real property; or the foreign principal has an interest in the real property, but the equitable or legal title to the real property is held by another entity or individual.

(10) “Interest in real property” means all or part of an equitable or legal title to the real property and does not include a lease.

(11) “Official documentation” means documentation issued by U.S. Citizenship and Immigration Services.

(12) “Own” means to have equitable or legal title to the real property.

Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

73C-60.002 Real Estate Transactions Prior to July 1, 2023

A foreign principal that executed a contract for the purchase of real property in the State of Florida prior to July 1, 2023, may own or acquire the real property that is the subject of the contract on or after July 1, 2023. Such real property must be registered with the Department in accordance with rule 73C-60.003, F.A.C.

Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

73C-60.003 Registration

(1) The Department will provide a means, accessible through the Department’s website at [www.floridajobs.org](http://www.floridajobs.org), for individuals to determine the proximity of real property to a military installation or a critical infrastructure facility in Florida.

(2) Registration for Real Property Owned or Acquired Prior to July 1, 2023

(a) A foreign principal who owns or acquires an interest, other than a de minimis indirect interest, in real property on or within 10 miles of any military installation or critical infrastructure facility in Florida prior to July 1, 2023, must register with the Department in accordance with this rule.

(b) A foreign principal must register with the Department on or before December 31, 2023, to be deemed timely registered.

(c) A foreign principal who registers after January 31, 2024, shall be deemed late and will have fines assessed in accordance with rule 73C-60.005, F.A.C.

(3) Registration for Real Property Purchased on or After July 1, 2023, as Authorized Under Section 692.203(4), F.S.

(a) A foreign principal who is a natural person who purchases, other than a de minimis indirect interest, one residential real property that is 2 acres or less and is on or within 10 miles of any military installation or critical infrastructure facility in Florida but is not on or within 5 miles of any military installation or critical infrastructure facility on or after July 1, 2023, must register with the Department within 30 days after the property is owned or acquired.

(b) If the foreign principal who is a natural person purchases the real property between July 1, 2023, and the effective date of this rule, the foreign principal will have 30 days from the effective date of this rule to register with the Department to be deemed timely registered.

(4) Registration for Real Property Acquired on or After July 1, 2023, as Authorized Under Section 692.203(5), F.S.

(a) A foreign principal who acquires real property or any interest therein, other than a de minimis indirect interest, on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of

debts, must register with the Department within 30 days after the property is owned or acquired by the foreign principal.

(b) If the foreign principal acquired the real property or any interest therein between July 1, 2023, and the effective date of this rule, the foreign principal will have 30 days from the effective date of this rule to register with the Department to be deemed timely registered.

(c) The foreign principal must submit an updated registration Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX-2023, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-CCCCC> or, when available, using the online registration system on the Department's website at <http://www.floridajobs.org>, within three years of acquiring the real property demonstrating the sale, transfer, or other divestment of such real property.

(d) A foreign principal who registers more than 30 days after the real property is owned or acquired shall be deemed late and will have fines assessed in accordance with rule 73C-60.005, F.A.C.

#### (5) Registration for Real Estate Contracts

(a) A foreign principal who obtains equitable title by executing a real estate contract with the obligation of closing to obtain legal title within 90 days shall register the real property that is the subject of the contract within 30 days of acquiring legal title. A foreign principal who obtains equitable title by executing a real estate contract without the obligation of closing to obtain legal title within 90 days shall register the real property that is the subject of the contract within 120 days of acquiring equitable title.

#### (6) Registration Method

(a) Each foreign principal who is required to register their real property with the Department must do so either by utilizing and submitting Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX-2023, which is incorporated by reference and available on the internet at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-CCCCC> or, when available, using the online registration system on the Department's website at <http://www.floridajobs.org>.

#### (7) Updated Registrations

(a) A foreign principal must update their registration with the Department if any of the following occur:

1. The foreign principal sold the real property;
2. The foreign principal no longer owns the real property;
3. The foreign principal's real property is no longer within 10 miles of any military installation or critical infrastructure facility in Florida;
4. The foreign principal no longer has any interest in the real property; or

5. The foreign principal no longer meets the definition of a foreign principal as that term is defined in section 692.201, F.S.

(b) A foreign principal's registration must be updated by either submitting Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX-2023, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-CCCCC> or, when available, using the online registration system on the Department's website at <http://www.floridajobs.org>.

(c) A foreign principal who fails to file an updated registration as required by this rule is not subject to the penalties imposed by section 692.203, F.S., or Department of Commerce Rules 73C-60.005 and 73C-60.006, F.A.C.

(8) The prohibition and registration requirements prescribed by section 692.203, F.S., shall not apply with respect to any interest that is a de minimis indirect interest. Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

#### 73C-60.004 Computation of Time

In computing the 30 days prescribed in section 692.203(3)(b), F.S., and these rules, the day of the act from which the period of time begins to run will not be included. The last day of the period must be included unless it is a Saturday, Sunday, or legal holiday as prescribed by section 110.117, F.S., in which event the period shall run until the end of the next business day. Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

#### 73C-60.005 Fines

(1) The Department will impose a \$1,000 fine against the foreign principal for each day that the registration is late. Except as provided in section 692.203(3)(b), F.S., the registration will be deemed late if it is filed more than 30 days after the real property is owned or acquired by the foreign principal.

(2) The Department will issue a notice of violation to any foreign principal found in violation of section 692.203(3), F.S., prior to final agency action. Such notice will include hearing rights pursuant to section 120.569, F.S.

(3) Fines imposed are due and payable to the Department within 30 days of entry of the final order unless otherwise stated in the final order.

Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

#### 73C-60.006 Liens

The Department may place a lien on the foreign principal's real property for any fines that are not paid within 30 days of entry of the final order unless otherwise stated in the final order. Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

73C-60.007 Rebuttable Presumption

(1) A closing agent who relies on and maintains the affidavit specified in section 692.203(6), F.S., has established a rebuttable presumption that the closing agent did not have actual knowledge that the real estate transaction violated section 692.203, F.S.

(2) A seller of real property who relies on and maintains the affidavit specified in section 692.203(6), F.S., has established a rebuttable presumption that the seller did not have actual knowledge that the real estate transaction violated section 692.203, F.S.

Rulemaking Authority 692.203(10) FS. Law Implemented 692.203 FS. History—New XX-XX-23.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Karen Gates, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: J. Alex Kelly, Secretary, Department of Commerce

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2023

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Section III

Notice of Changes, Corrections and Withdrawals

NONE

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Section IV

Emergency Rules

NONE

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Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on September 15, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Gas Worx Ybor at 1015 Lily White Ct., Tampa, FL 33605 Petitioner seeks a routine permanent variance of the requirements of ASME A17.1, 2016 Edition, Section 2.8.2.2 and 2.8.1, as adopted by 61C-5.001, Florida Administrative

Code that requires only machinery and equipment used directly in connection with the elevator shall be permitted in elevator hoistways, machinery spaces, machine rooms, control spaces, and control rooms. which poses a significant and Only such electrical wiring, raceways, cables, coaxial wiring, and antennas used directly in connection with the elevator, including wiring for signals, for communication with the car, for lighting, heating, air conditioning, and ventilating the car, for fire detecting systems, for pit sump pumps, and for heating and lighting the hoistway and/ or the machinery space, machine room, control space, or control room shall be permitted to be installed inside the hoistway, machinery space, machine room, control space, or control room economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-103).

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

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NOS.:RULE TITLES:

62-610.469 Application/Distribution Systems and Cross-Connection Control

62-610.650 Description of System

62-610.660 Cross-Connection Control and Protection of the Reclaimed Water Supply

NOTICE IS HEREBY GIVEN that on September 12, 2023, the Department of Environmental Protection, received a petition for variance or waiver pursuant to section 120.542, F.S. from City of Auburndale Allred Wastewater Treatment Facility (WWTF). The petition requested a variance from paragraph 62-610.469(7)(g), subsection 62-610.650(3) and paragraph 62-610.660(3)(a), F.A.C., which prohibits the return of reclaimed water to the reclaimed water distribution system after delivery to an industrial user. The site is located at 1300 Recker Highway, Auburndale, FL 33823-4078. The petition has been assigned OGC #23-1455 and Permit No. FL0021466.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ali Howerton, Florida Department of Environmental Protection Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926; telephone (813)470-5799; e-mail Ali.Howerton@dep.state.fl.us, during normal business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday, except legal holidays. If you have any questions, please call the Southwest District Office at (813)470-5700.

Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

The Board of Massage Therapy hereby gives notice: of the issuance of an Order regarding the Petition for Variance and Waiver, filed by Lilly Real on June 30, 2023. The Notice of a request for Waiver or Variance was published in Vol. 49, No. 136, of the July 14, 2023, Florida Administrative Register. The Board considered the request at a duly-noticed public goto/meeting on August 16, 2023. The Board found that the request does not meet the criteria for a Petition for Variance and Waiver, as stated in Rule 28-104.002, Florida Administrative Code. The Board’s Order, filed on September 15, 2023, dismissed the petition.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Acting Executive Director, Board of Massage Therapy, at the above listed address, (850)245-4162, or by electronic mail – Allen.Hall@flhealth.gov .

**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 September 05, 2023, the Department of Financial Services received a petition for Waiver from Kim Donaldson. Kim Donaldson 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-O1-001.

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.

**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 September 05, 2023, the Department of Financial Services, received a petition for Waiver from Sharon Lee Markham. Sharon Lee Markham 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-O1-001.

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: DFS Agency Clerk at any of the contacts above or by telephone at (850)413-4279.

**Section VI**

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

**DEPARTMENT OF STATE**

**Division of Historical Resources**

The Department of State’s Division of Historical Resources announces a public meeting to which all persons are invited.

**DATES AND TIMES:** September 27, 2023, 9:00 a.m. and September 28, 2023, 9:00 a.m.

**PLACE:** Heritage Hall Auditorium, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250; Or via webinar

<https://attendee.gotowebinar.com/register/9057262648487261022>, Webinar ID: 747-437-027

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Historical Commission will convene to review and score the FY2025 Historic Preservation Special Category Grant Applications.

A copy of the agenda may be obtained by contacting: DHRGrants.com@dos.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 48 hours before the workshop/meeting by contacting: Alexys Johnson at (850)245-6306 or Alexys.Johnson@dos.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: DHRGrants@dos.myflorida.com.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATES AND TIMES: September 28, 2023, 9:00 a.m. – Degree Granting Institutions and September 29, 2023, 9:00 a.m. – Non-Degree Granting Institutions.

PLACE: The Florida Hotel, 1500 Sand Lake Road, Orlando, Florida 32809.

GENERAL SUBJECT MATTER TO BE CONSIDERED: On September 28, 2023 – beginning at 9:00 a.m. the Commission for Independent Education will consider All Degree Granting Institutions and on September 29, 2023, beginning at 9:00 a.m. all Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Request for Variance, Applications for Exemption for Religious Colleges, Improper School Closure Reports, review and vote on application for recognition for Licensure by Means of Accreditation, Informal Hearing, Rules Committee meeting at the conclusion of the Non-Degree granting institutions and the General Business of the Commission.

Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to submit a written comment by emailing Executive Director, Tiffany Hurst, at Susan.Hood@fldoe.org one (1) business day before the meeting and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the Chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200.

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: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200. 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: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200.

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#### FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 11, 2023, 9:00 a.m.

PLACE: The Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399 or via conference call: United States (Toll Free): 1(877)309-2073, access code 337-350-165. For questions and correspondence from inmate supporters, please email [inmatessupporter@fcor.state.fl.us](mailto:inmatessupporter@fcor.state.fl.us). For questions and correspondence regarding victims' rights, please email [victimquestions@fcor.state.fl.us](mailto:victimquestions@fcor.state.fl.us).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release, and all other Commission business.

A copy of the agenda may be obtained by contacting: The Florida Commission on Offender Review (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). 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.

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#### FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, October 12, 2023, 11:00 a.m.; Thursday, October 19, 2023, 11:00 a.m.

PLACE: The meeting will be held via conference call. United States (Toll Free): 1(877)309-2073, access code 337-350-165.

For questions and correspondence from inmate supporters, please email [inmatessupporter@fcor.state.fl.us](mailto:inmatessupporter@fcor.state.fl.us). For questions and correspondence regarding victims' rights, please email [victimquestions@fcor.state.fl.us](mailto:victimquestions@fcor.state.fl.us)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release, and all other Commission business.

A copy of the agenda may be obtained by contacting: The Florida Commission on Offender Review (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council  
The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 28, 2023, 6:00 p.m.  
**PLACE:** Drury Inn and Suites, Orange Blossom Room/Sweetwater Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, or **DIAL IN NUMBER:** Toll free 1(888)585-9008, **CONFERENCE CODE:** 381 777 570

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council  
The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 28, 2023, 6:00 p.m.  
**PLACE:** Drury Inn and Suites, Mockingbird Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, or **DIAL IN NUMBER:** Toll free 1(888)585-9008 **CONFERENCE CODE:** 568 124 316.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council  
The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 28, 2023, 7:00 p.m.  
**PLACE:** Drury Inn and Suites, Orange Blossom Room/Sweetwater Room, 4000 Southwest 40th Boulevard, Gainesville, Florida, or **DIAL IN NUMBER:** Toll Free: 1(877)309-2073 **ACCESS CODE:** 719-521-525.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIMES: October 5, 2023, 9:00 a.m. Legislative Policy Committee; 10:00 a.m. Board of Directors; 12:00 noon Affordable Housing Committee.

PLACE: St. Johns County, Health & Human Services, 200 San Sebastian View, Ste. 2300, St. Augustine FL 32084 or <https://nefrc-org.zoom.us/j/87499770491>; Meeting ID: 874 9977 0491

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880.

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: (904)279-0880. 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).

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council's Nominating Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2023, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782 or dial: 1(786)635-1003, meeting ID: 856 3484 4530, passcode: 100200 or Zoom Meeting:

<https://us02web.zoom.us/j/85634844530?pwd=REpUajlrVnp4V3hoUmQvNzh6c3pWQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council Nominating Committee

A copy of the agenda may be obtained by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida

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

For more information, you may contact: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org)

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council's Nominating Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 02, 2023, 11:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782, or dial 1(786)635-1003, meeting ID: 879 1780 1310, passcode: 100200, or Zoom Meeting:

<https://us02web.zoom.us/j/87917801310?pwd=czFRbTRUZY9sS1Fna0NUVjdSWkZFZz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council Nominating Committee

A copy of the agenda may be obtained by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

**METROPOLITAN PLANNING ORGANIZATIONS**

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) announces a workshop to which all persons are invited.

DATE AND TIME: Friday, October 13, 2023, 10:00 a.m.

PLACE: Virtual Teams Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Workshop to discuss MPOAC business and administrative issues.

A copy of the agenda may be obtained by contacting: Lisa O. Stone by email @ [lisa.o.stone@dot.state.fl.us](mailto:lisa.o.stone@dot.state.fl.us) or phone (850)414-4037.

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: Lisa O. Stone by email @ [lisa.o.stone@dot.state.fl.us](mailto:lisa.o.stone@dot.state.fl.us) or phone (850)414-4037. 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: Lisa O. Stone by email @ lisa.o.stone@dot.state.fl.us or phone (850)414-4037.

**WATER MANAGEMENT DISTRICTS**

Northwest Florida Water Management District

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

DATE AND TIME: September 28, 2023, 5:05 p.m., CT

PLACE: Gulf Coast State College, Student Union East Building, Room 10, 5230 West Highway 98, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final Public Hearing on Fiscal Year 2023-2024 Millage Rate and Budget, Final adoption of the millage rate and budget for fiscal year 2023-2024

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

A copy of the agenda may be obtained by contacting: Savannah Shell, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

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

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

**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, November 3, 2023, 9:00 a.m.

PLACE: Hilton Garden Inn, Riverview, Florida 33578

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <https://floridasclinicallabs.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: [MQA.ClinicalLab@flhealth.gov](mailto:MQA.ClinicalLab@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**DEPARTMENT OF HEALTH**

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

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a public meeting to which all persons are invited.

DATE AND TIME: November 09, 2023, 8:30 a.m., ET

PLACE: Sheraton Orlando North Hotel, 600 North Lake Destiny Road, Maitland, FL, (407)660-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: <https://floridasmentalhealthprofessions.gov/meeting-information/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sandra Williams, Program Operations Administrator by phone at (850)901-6481, by email at [sandra.williams3@flhealth.gov](mailto:sandra.williams3@flhealth.gov) or by mail at 4052 Bald Cypress Way, Bin C-08, Tallahassee, FL 32399.

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: Sandra Williams, Program Operations Administrator by phone at (850)901-6481, by email at [sandra.williams3@flhealth.gov](mailto:sandra.williams3@flhealth.gov) or by mail at 4052 Bald Cypress Way, Bin C-08, Tallahassee, FL 32399.

**DEPARTMENT OF HEALTH**

Board of Medicine

The Board of Medicine – Probable Cause Panel - Office Surgery Registration and Pain Management Clinic Registration announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 18, 2023, 9:30 a.m., EST, or soon thereafter.

PLACE: Telephone: (646)749-3122, access code: 841-195-637 or Virtually:

<https://global.gotomeeting.com/join/841195637>. To maximize your access to the meeting, the Department highly recommends that you download the GoToMeeting app on your computer, tablet, or smartphone prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases.

A copy of the agenda may be obtained by contacting: LaSonga Campbell at (850)558-9821 or emailing her at [LaSonga.Campbell@flhealth.gov](mailto:LaSonga.Campbell@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: LaSonga Campbell at (850)558-9821 or emailing her at [LaSonga.Campbell@flhealth.gov](mailto:LaSonga.Campbell@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: LaSonga Campbell at (850)558-9821 or emailing her at [LaSonga.Campbell@flhealth.gov](mailto:LaSonga.Campbell@flhealth.gov).

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – South Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 13, 2023, 2:30 p.m., EST, or soon thereafter.

PLACE: Telephone: (872)240-3311, access code: 620-057-165 or Virtually:

<https://global.gotomeeting.com/join/620057165>. To maximize your access to the meeting, the Department highly recommends that you download the GoToMeeting app on your computer, tablet, or smartphone prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)558-9813 or emailing her at [sheila.autrey@flhealth.gov](mailto:sheila.autrey@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheila Autrey at (850)558-9813 or emailing her at [sheila.autrey@flhealth.gov](mailto:sheila.autrey@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sheila Autrey at (850)558-9813 or emailing her at [sheila.autrey@flhealth.gov](mailto:sheila.autrey@flhealth.gov).

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 12, 2023, 9:00 a.m., ET

PLACE: Toll Free Number – 1(888)585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting for public disciplinary cases.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/upcoming-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 48 hours before the workshop/meeting by contacting: (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Orlando Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 11, 2023; 10:00 a.m. - 12:00 Noon

PLACE: Microsoft Teams:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NzA3YTBIOWiOTA4Ny00YWl5LWlZNDItYWQ3ZGZhZjJmOTg0%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NzA3YTBIOWiOTA4Ny00YWl5LWlZNDItYWQ3ZGZhZjJmOTg0%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-)

cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the Orlando Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

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: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336. 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: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

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#### FLORIDA SURPLUS LINES SERVICE OFFICE

The Florida Surplus Lines Service Office Benefits Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 3, 2023, 3:00 p.m., ET

**PLACE:** Virtual Format. For access contact Georgie Barrett at gbarrett@fslso.com.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters to come before Committee.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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 2 days before the workshop/meeting by contacting: Jennifer Mills at jmills@fslso.com or (800)562-4496, x101. 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).

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#### QUEST CORPORATION OF AMERICA, INC.

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, September 28, 2023, 5:30 p.m.

**PLACE:** Family Christian Academy, 15060 Old Cheney Highway, Orlando, FL 32828 or By phone in listen-only mode at 1(866)901-6455, passcode 728-554-770 or Virtually on GoTo Webinar: Register at <https://bit.ly/3Qo9CW5>.

Once registered, participants will receive a confirmation email containing information about joining the meeting online. Please use Chrome or Microsoft Edge as your internet browser to register or attend this webinar.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A public meeting will be held regarding project plans on East Colonial Drive (State Road (S.R.) 50) from east of Chuluota Road to S.R. 520 in Bithlo. (FPID no. 239203-8)

The purpose of this project is to widen East Colonial Drive to increase capacity and provide safety improvements. The public meeting is being held to present information and receive community feedback.

The Department is offering multiple ways for the community to participate in the meeting. All participants, regardless of platform they choose, will receive the same information on the proposed project.

**In-Person Open House Option:** Participants may attend in person by going to Family Christian Academy, anytime between 5:30 p.m. and 7:00 p.m. to view a looping presentation and project displays, speak with project team members, and submit comments or questions. If attending in person, please remember to follow all safety and sanitation guidelines. If you are feeling unwell, please consider attending the meeting virtually or by phone.

**Virtual Option:** Interested persons may join from a computer, tablet, or mobile device at 5:30 p.m. If joining online, please allow adequate log-in time to view the presentation in its entirety.

All meeting materials, including the presentation, will be available on the project website at [www.CFLRoads.com/project/239203-8](http://www.CFLRoads.com/project/239203-8) prior to the meeting.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Melissa McKinney, FDOT District Five Title VI Coordinator, at [Melissa.McKinney@dot.state.fl.us](mailto:Melissa.McKinney@dot.state.fl.us).

Information about this project is also available online at [www.cflroads.com](http://www.cflroads.com). Simply type 239203-8 in the search box, click "go" and then select the project. We encourage you to participate in the East Colonial Drive (S.R. 50) Widening Project public meeting.

A copy of the agenda may be obtained by contacting: n/a

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: FDOT Project Manager Derek Dean, P.E., at (386)943-5161, or by email at Derek.Dean@dot.state.fl.us. 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: FDOT Project Manager Derek Dean, P.E., by phone at (386)943-5161, by email at Derek.Dean@dot.state.fl.us, or U.S. mail at Florida Department of Transportation, 719 South Woodland Blvd., M.S. 542, DeLand, FL 32720.

**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 ENVIRONMENTAL PROTECTION  
DEP RFP 2024002, Lake Okeechobee Harmful Algal Bloom Management Services

The Florida Department of Environmental Protection is requesting Responses for Lake Okeechobee Harmful Algal Bloom Management Services. The Department will post notice of any changes or additional meeting(s) on the Vendor Information Portal (VIP) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP RFP 2024003 - Water Quality Treatment Services to Combat Harmful Algal Blooms within Lake Okeechobee

The Florida Department of Environmental Protection is requesting Responses for Water Quality Treatment Services to Combat Harmful Algal Blooms within Lake Okeechobee. The Department will post notice of any changes or additional meeting(s) on the Vendor Information Portal (VIP) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Recreation and Parks

Invitation to Bid BDC13-23/24 Mizell-Johnson-Vehicular Bridges 860160-860161

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC13-23/24, Dr. Von D. Mizell – Eula Johnson State Park – Vehicular Bridges 860160 - 860161. More info @ <https://tinyurl.com/2xknwwb2>.

PASCO-PINELLAS AREA AGENCY ON AGING

Notice of Termination of Request for Proposal

The previously noticed Request for Proposal soliciting applications for Pinellas County Older Americans Act and Local Service Program Title IIIB Chore Services did not result in an award. No Letters of Intent were received by the due date of September 13, 2023, a required prerequisite to the successful submission of any entity’s proposal. Therefore, as of September 18, 2023, the Request for Proposal is terminated. The Area Agency on Aging of Pasco-Pinellas will submit a Direct Service

Waiver to the Florida Department of Elder Affairs to seek approval to provide Chore services under the Older Americans Act and Local Service Program directly to eligible elders in Pinellas County beginning January 1, 2024. If you have any questions, please call Christine Didion at (727)570-9696, ext. 212.

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 XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, September 13, 2023 and 3:00 p.m., Tuesday, September 19, 2023.

Rule No.	File Date	Effective Date
53ER23-46	9/14/2023	9/18/2023
53ER23-47	9/14/2023	9/18/2023
53ER23-48	9/14/2023	9/18/2023
53ER23-49	9/14/2023	9/18/2023
53ER23-50	9/14/2023	9/18/2023
59G-4.125	9/19/2023	10/9/2023
61C-1.004	9/15/2023	10/5/2023
61G18-12.008	9/13/2023	10/3/2023
65C-43.001	9/19/2023	10/9/2023
68D-14.001	9/13/2023	10/3/2023
68D-14.002	9/13/2023	10/3/2023
68D-14.003	9/13/2023	10/3/2023
68D-14.004	9/13/2023	10/3/2023

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

Rule No.	File Date	Effective Date
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	**/**/****

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

The Northwest Florida Water Management District announces the release of the Draft 2023 Water Supply Assessment Update. NOTICE IS HEREBY GIVEN that the Northwest Florida Water Management District has completed the draft 2023 update to its Water Supply Assessment (WSA), developed pursuant to section 373.036, Florida Statutes. The assessment evaluates the sufficiency of water resources to support existing and future reasonable-beneficial uses and to sustain the water resources and related natural systems over a 20-year planning period. The WSA also makes recommendations for regional water supply planning. This is an opportunity for local governments, water utilities, and interested parties to provide feedback on the draft document. The Draft 2023 WSA Update report is available on the District’s website, <https://nwfwater.com/water-resources/water-supply-planning/water-supply-assessments/>. Please submit all feedback and comments on or before Friday, October 6, 2023, to [Kathleen.Coates@nwfwater.com](mailto:Kathleen.Coates@nwfwater.com).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**UPDATE to Notice 27525125**

Please NOTE: The TIME for NOTICE 27525125 has been changed. Please see below for the updated time.

The Medicaid Medical Care Advisory Committee (MCAC) announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2023, 11:00 a.m. - 12:00 noon

PLACE: 2727 Mahan Dr., Tallahassee, FL 32308, Bldg. 3, Conference Rm. A, B & C

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Medical Care Advisory Committee (MCAC) meeting.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Notice of Publication of Annual Regulatory Plan**

**NOTICE OF PUBLICATION OF ANNUAL REGULATORY PLAN**

Pursuant to 120.74(2), F.S., the Department of Management Services published the Department’s 2023-2024 Annual Regulatory Plan on September 18, 2023, at the following web address:

[https://www.dms.myflorida.com/agency\\_administration/general\\_counsel/annual\\_regulatory\\_plans](https://www.dms.myflorida.com/agency_administration/general_counsel/annual_regulatory_plans).

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Notice of Availability of St. Lucie Inlet Management Plan  
(Martin County)

The Florida Department of Environmental Protection (Department) announces the availability of the St. Lucie Inlet Management Plan of 2023 and has adopted the inlet management plan as a Department Final Order on Friday, September 15th, 2023.

Summary of St. Lucie Inlet Management Plan of 2023: Pursuant to subsection 161.101(2), F.S., the Department is the beach and shore preservation authority for the State of Florida. As part of the beach management plan adopted pursuant to section 161.161, F.S., the Department is adopting the Inlet Management Plan for St. Lucie Inlet in Martin County, Florida. The previous plan was adopted on January 8th, 2016. The updated plan for St. Lucie Inlet is consistent with section 161.142, F.S. To obtain a copy of the St. Lucie Inlet Management Plan (2023), visit:

<https://floridadep.gov/rcp/beaches-inlets-ports/documents/st-lucie-inlet-management-plan>

or contact William "Guy" Weeks, Department of Environmental Protection, telephone: (850)245-7696, email: [William.Weeks@FloridaDEP.gov](mailto:William.Weeks@FloridaDEP.gov)

This Order is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this Order will not be effective until further Order of the Department.

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, or by electronic mail at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), within 21 days of receipt of this Notice. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S. of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

When the Order is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure, with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Agency Clerk.

Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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