

# Section I

## Notices of Development of Proposed Rules and Negotiated Rulemaking

### DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Foreign and Alien Insurers Filing for a Certificate of Authority	4-136.002
Surplus Lines	4-136.004
Domestic Insurers Filing for an Application for Permit	4-136.006
Domestic Insurers Filing for a Certificate of Authority	4-136.011
Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business	4-136.015
Registration as a Purchasing Group	4-136.031

PURPOSE AND EFFECT: To adopt updated forms.

SUBJECT AREA TO BE ADDRESSED: Investigative reports and Risk Assuming Carrier or Reinsuring Carrier applications.

SPECIFIC AUTHORITY: 624.308, 624.308 FS.

LAW IMPLEMENTED: 624.09, 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.408, 624.411, 624.413, 624.414(1), 624.416(4), 624.422, 624.466, 624.501, 625.306, 625.502, 626.7451(11), 626.913, 626.918, 627.6488(1), 628.041, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 624.451, 628.46, 628.4615, 628.471, 628.907, 629.071, 629.081, 629.101, 629.122, 629.131, 629.181 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., August 27, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gwen Chick, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570

### THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-136.002 Foreign and Alien Insurers Filing for a Certificate of Authority.

All foreign entities seeking a certificate of authority shall comply with the requirements of Sections 624.404, 624.413 and related Florida Statutes, and shall submit the following forms:

(1) through (15) No change.

(16) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~,

(17) through (18) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.161, 628.907 FS. History--New 2-26-92, Amended 9-19-00, \_\_\_\_\_.

4-136.004 Surplus Lines.

Applications submitted as an Insurer under Florida's Surplus Lines Law, pursuant to Section 626.913, Florida Statutes, shall contain all of the following forms:

(1) through (8) No change.

(9) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~,

(10) No change.

~~(11)(12)~~ Form DI4-1298, "Management Information Form," rev. 4/97.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.422, 624.501, 626.913, 626.918 FS. History--New 2-26-92, Amended 9-19-00, \_\_\_\_\_.

4-136.006 Domestic Insurers Filing for an Application for Permit.

All domestic insurers filing an Application for Permit, pursuant to Chapter 628, Florida Statutes, for the following: Domestic Property and Casualty Insurers, Title Insurers, and Life and Health Insurers, pursuant to Section 628.051, Florida Statutes; Domestic Assessable Mutual Insurers, pursuant to Section 628.051, Florida Statutes; and Domestic Captive Insurers, pursuant to Chapter 628, Part III, shall submit the following common forms:

(1) through (4) No change.

(5) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~;

(6) through (14) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.051 FS. History--New 2-26-92, Amended 9-19-00, \_\_\_\_\_.

4-136.011 Domestic Insurers Filing for a Certificate of Authority.

(1) All domestic entities seeking a certificate of authority, pursuant to Sections 624.466, 628.6011, or 628.051, or to Chapter 628, Part I, or to Chapter 629, Florida Statutes, shall submit the following forms:

(a) through (f) No change.

(g) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports", rev. 02/01 ~~6/99~~;

(h) through (r) No change.

(2) Applications submitted for Certificate of Authority as a Commercial Self-Insurance Fund shall contain all of the following forms pursuant to Section 624.462, Florida Statutes:

(a) through (l) No change.

(m) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~; and

(n) No change.

(3) Applications submitted for a Certificate of Authority of Domestic Reciprocal Insurers, pursuant to Chapter 629, Florida Statutes, shall submit the following forms:

(a) through (q) No change.

(r) Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.411, 624.413, 624.414(1), 624.422, 624.466, 624.501, 624.6488(1), 625.306, 625.502, 628.041, 628.6011, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.051, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 629.071, 629.081, 629.091, 629.101, 629.121, 629.131, 629.181 FS. History—New 2-26-92, Amended 9-19-00, \_\_\_\_\_.

4-136.015 Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business.

(1) through (2) No change.

(3) Any insurer seeking to add a new line of insurance to an existing certificate of authority shall submit all of the following applicable forms:

(a) through (f) No change.

(g) Form DI4-1093, "State of Florida Form for Small Employer Carrier's Application to Become a Risk Assuming Carrier or a Reinsuring Carrier," rev. 05/02 ~~9/95~~.

(4) through (5) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.09, 624.307(1), 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.501(20), 627.6488(1) FS. History—New 3-30-92, Amended 9-2-96, 9-19-00, \_\_\_\_\_.

4-136.031 Registration as a Purchasing Group.

(1) All entities seeking registration as a purchasing group shall comply with the requirements of Section 627.948, Florida Statutes, and shall submit:

(a) through (b) No change.

(c) All purchasing groups shall comply with the information contained in Form DI4-515, "Purchasing Group – Notice and Registration," rev. 10/07/99 and submit the following forms where applicable:

1. through 3. No change.

4. Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 ~~6/99~~; and

5. No change.

(2) through (4) No change.

Specific Authority 624.308, 627.954 FS. Law Implemented 624.307(1),(3), 624.318, 624.321, 626.611(14), 627.948 FS. History—New 1-30-91, Formerly 4-107.002, Amended 9-19-94, 9-19-00, \_\_\_\_\_.

## DEPARTMENT OF REVENUE

### Division of Ad Valorem Tax

RULE TITLE:

RULE NO.:

Mapping Requirements

12D-1.009

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-1.009, F.A.C., is to clarify the record maintenance requirements for mapping and acreage use by property appraisers.

SUBJECT AREA TO BE ADDRESSED: Record maintenance requirements for mapping and acreage use by property appraisers.

SPECIFIC AUTHORITY: 193.085(2), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 195.022, 195.062, 213.05 FS.

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

TIME AND DATE: 9:00 a.m., Thursday, August 22, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Property Tax Technical Unit is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Sharon Gallops, (850)414-6108. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

**12D-1.009 Mapping Requirements.**

(1) Each county property appraiser shall have and maintain the following:

(a) Aerial photography suitable for the needs of his office.

(b) Property ownership maps which will reflect the following:

1. Recorded subdivisions and/or unrecorded subdivisions, if being used for assessing, in their entirety on the property ownership maps including lot and block division and dimensions if known.

2. Dimensions ~~and acreage, where known,~~ on all parcels, where known as determined from the public records over one acre in size.

3. Acreage, where known as determined from the public records, if used as a unit of measurement for assessment purposes.

4. Parcel number (normally the last four digits of the property identification number).

5. Positions recorded in State Plane Coordinate feet and based on North American Datum 1983 (1990 Adjustment), if maintained in a digital environment.

6. Minimum positional accuracy according to National Map Accuracy Standards [Date].

(2) No change.

Specific Authority 193.085(2), 195.027(1), 213.06(1) FS. Law Implemented 195.022, 195.062, 213.05 FS. History—New 10-12-76, Formerly 12D-1.09, Amended \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

**RULE TITLES:**

**RULE NOS.:**

Exemption of Property of Widows, Widowers,

Blind Persons, and Persons Totally and

Permanently Disabled; Disabled Veterans 12D-7.003

Additional Homestead Exemption Up to \$25,000

for Persons 65 and Older Whose Household

Income Does Not Exceed \$20,000 Per Year 12D-7.0143

**PURPOSE AND EFFECT:** The purpose of the proposed amendment to Rule 12D-7.003, F.A.C., is to implement the provisions of Chapter 2002- 271, Laws of Florida, providing for an increased exemption for disabled ex-service members.

The purpose of the proposed amendment to Rule 12D-7.0143, F.A.C., is to implement the provisions of Chapter 2002-52, Laws of Florida, providing for documentation required to be submitted with the sworn statement of adjusted gross income of the household for taxpayers claiming the additional homestead exemption.

**SUBJECT AREA TO BE ADDRESSED:** Documentation required with the sworn statement of adjusted gross income of the household. Exemption for disabled veterans.

**SPECIFIC AUTHORITY:** 195.027(1), 196.075(5), 213.06(1) FS

**LAW IMPLEMENTED:** 193.031, 193.074, 196.075, 196.202, 196.24, 213.05 FS.

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

**TIME AND DATE:** 9:00 a.m., Thursday August 22, 2002

**PLACE:** Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

**12D-7.003 Exemption of Property of Widows, Widowers, Blind Persons, and Persons Totally and Permanently Disabled; Disabled Veterans.**

(1) No change.

(2) The \$5,000 exemption granted by section 196.24, Florida Statutes, shall be considered to be the same constitutional disability exemption provided for by section 196.202, Florida Statutes. The exemptions under sections 196.24, 196.031, and 196.202, Florida Statutes, shall be cumulative, but in no event shall the aggregate exemption exceed \$31,000.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 196.031, 196.202, 196.24, 213.05 FS. History—New 10-12-76, Formerly 12D-7.03, Amended 11-21-91, 12-31-98, \_\_\_\_\_.

**12D-7.0143 Additional Homestead Exemption Up To \$25,000 for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year.**

(1) No change.

(2) A taxpayer claiming the additional exemption is required to submit a sworn statement of adjusted gross income of the household (Form DR-501SC, Sworn Statement of Adjusted Gross Income of Household and Return, incorporated

by reference in Rule 12D-16.002, F.A.C.) to the property appraiser by March 1, comprising a confidential return of household income for the specified applicant and property. The sworn statement must be supported by copies of the following documents to be submitted for inspection by the property appraiser ~~by June 1:~~

(a) Federal income tax returns for the prior year for each member of the household, which shall include the federal income tax returns 1040, 1040A, and 1040EZ, if any; and

(b) Any request for an extension of time to file federal income tax returns; and

(c) Any wage earning statements for each member of the household, which shall include Forms W-2, RRB-1042S, SSA-1042S, 1099, 1999A, RRB 1099 and SSA-1099, if any.

(3) No change.

(4) Supporting documentation is not required to be submitted with the sworn statement for renewal of the exemption, unless requested by the property appraiser.

(5) The property appraiser may not grant or renew the exemption if the required documentation including what is requested by the property appraiser is not provided.

Specific Authority 195.027(1), 196.075(5), 213.06(1) FS. Law Implemented 193.074, 196.075, 213.05 FS. History—New 12-30-99, Amended.

## DEPARTMENT OF REVENUE

### Division of Ad Valorem Tax

RULE TITLES:	RULE NOS.:
Assessment of Property for Back Taxes	12D-8.006
Additional Requirements for Preparation of the Real Property Roll	12D-8.008
Uniform Standards for Computer Operations:	
Minimum Data Requirements	12D-8.011

PURPOSE AND EFFECT: The purpose of the amendment to Rule 12D-8.006, F.A.C., is to implement the provisions of section 9, chapter 2002-18, Laws of Florida, providing for assessment of escaped taxes to the previous owner where the purchaser was without knowledge of the escaped taxes.

The purpose of the amendment to Rule 12D-8.008, F.A.C., is to clarify a cross reference to rule 12D-8.011, F.A.C.

The purpose of the proposed amendment to Rule 12D-8.011, F.A.C., is to implement the provisions of Chapter 2002-271, Laws of Florida, providing for exemptions for disabled ex-service members.

SUBJECT AREA TO BE ADDRESSED: Assessments of escaped taxes to the previous owner of sold property. Exemption of \$5000 for disabled ex-service members.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.073, 193.092, 193.155, 195.027, 195.073, 195.084, 195.096, 196.081, 196.101, 196.202, 196.24, 213.05 FS.

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

TIME AND DATE: 9:00 a.m., Thursday August 22, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Property Tax Technical Unit is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Sharon Gallops, (850)414-6108. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-8.006 Assessment of Property for Back Taxes.

(1) through (3) No change.

(4) Back assessments of property acquired by a bona fide purchaser that had no knowledge that the property purchased had escaped taxation shall be assessed to the previous owner in accordance with s. 193.092(1), F.S. A "bona fide purchaser" means a purchaser, for value, in good faith, before the certification of the assessment of back taxes to the tax collector for collection.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.073, 193.092, 193.155, 213.05 FS. History—New 12-7-76, Formerly 12D-8.06, Amended 12-27-94, 12-31-98, \_\_\_\_\_.

12D-8.008 Additional Requirements for Preparation of the Real Property Roll.

(1) In addition to the requirements of Rule 12D-8.007, F.A.C., the Real Property Roll for each county shall include a description of the property assessed or a cross-reference to the description which shall be accurate and certain enough to give to the taxpayer the necessary notice of the tax assessed against the particular piece of property; the description so cross-referenced shall afford an adequate conveyance to the purchaser at a sale of the property for satisfaction of a lien originating in the non-payment of the tax. The Official Record Book and Page number of the conveyance upon which the

owner of record's title is based shall also be shown, provided such information has been gathered pursuant to paragraph 12D-8.011(1)(2)(m), F.A.C.

(a) through (2) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, 195.073, 195.084, 213.05 FS. History--New 12-7-76, Formerly 12D-8.08, Amended 12-27-94, 12-25-96, \_\_\_\_\_.

12D-8.011 Uniform Standards for Computer Operations: Minimum Data Requirements.

(1) Each property appraiser shall maintain the following data in one or more of his or her data processing files regarding each parcel of real estate in his or her county.

(a) through (n) No change.

(o) A code or codes indicating each exemption granted to the parcel and the value(s) thereof. The property appraiser may continue to use any existing codes provided they are translated to the codes prescribed when submitted to the Department: Personal exemption codes shall be "0" indicating the exemption does not apply or an alphabetic character indicating the exemption does apply. Five exemptions may apply for each parcel, in the following order.

Exemption Type	Maximum Value	Code
Homestead	\$25,000	X
Widowed	500	W/O
Blind	500	B
Disabled or Veteran Disabled	500	P or V
<u>Veteran Disabled</u>	<u>5000</u>	<u>V</u>
Disabled (100 percent Exempt)	—	D

An individual who qualified for the ~~\$25,000 dollar~~ exemption may also be entitled to the ~~\$500 dollar~~ exemption of Section 3(b), Art. VII, State Const. (for widows, widowers, blind or totally and permanently disabled persons) and Section 196.202, Florida Statutes, and/or the \$5000 exemption under section 196.24, Florida Statutes (disabled veterans). In but in no event shall the aggregate exemption exceed \$26,500, for individuals exempt under Section 196.202, Florida Statutes, or \$31,000 for individuals exempt under Section 196.24, Florida Statutes. except for total exemptions under Sections 196.081, 196.091, ~~196.096~~, or 196.101, Florida Statutes.

(p) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, ~~195.096~~, 196.081, 196.091, 196.101, 196.202, 196.24, 213.05 FS. History--New 12-7-76, Formerly 12D-8.11, Amended 9-30-82, 12-31-98, \_\_\_\_\_.

## DEPARTMENT OF REVENUE

### Division of Ad Valorem Tax

#### RULE TITLES:

#### RULE NOS.:

Receipt of Taxpayer's Petition

to be Acknowledged

12D-10.004

Uniform Procedures for Hearings; Procedures

for Information and Evidence Exchange

Between the Petitioner and Property

Appraiser, Consistent with s. 194.032, F.S.;

Organizational Meeting; Uniform Procedures

to be Available to Petitioners

12D-10.0044

PURPOSE AND EFFECT: The purpose of the amendment to Rule 12D-10.004, F.A.C., is to incorporate the provisions of Section 3, Chapter 2002-18, L.O.F., providing time frames for mailing of notices of scheduled value adjustment board hearings. The purpose of the creation of Rule 12D-10.0044, F.A.C., is to implement the provisions of Sections 2 and 4, Chapter 2002-18, L.O.F., providing requirements for acceptance of value adjustment board petition forms; providing for exchange of information for value adjustment board hearings; requiring the Department of Revenue to prescribe uniform procedures for value adjustment board hearings; and providing that petitioners may reschedule hearings.

SUBJECT AREA TO BE ADDRESSED: Hearing notice time frames; acceptance of Department of Revenue issued value adjustment board petitions; exchange of value adjustment board hearing information; uniform procedures for value adjustment boards.

SPECIFIC AUTHORITY: 194.011(5), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 194.011, 194.015, 194.032, 194.034, 194.035, 213.05 FS.

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

TIME AND DATE: 9:00 a.m., Thursday, August 22, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

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**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

12D-10.004 Receipt of Taxpayer's Petition to be Acknowledged.

(1)(a) The taxpayer has the sole responsibility for filing a petition with the clerk of the value adjustment board to appeal any decision of the property appraiser, including denial of homestead exemption. The prescribed form for filing a petition is Form DR-486 (or DR-486T for tangible personal property), as incorporated by reference in ~~to~~ Rule 12D-16.002, F.A.C. Regardless that the value adjustment board uses a form other than Forms DR-486 or DR-486T, as permitted under section 200.069, F.S., a taxpayer may submit, and the value adjustment board must accept, Forms DR-486 and DR-486T.

(b) The clerk shall acknowledge receipt of the petition and promptly furnish a copy of the petition to the property appraiser. If the taxpayer files a petition after the statutory deadline of 25 days after the notice of proposed property taxes was mailed, the clerk shall note this fact on the petition and bring it to the attention of the board.

(c) If any taxpayer's request for homestead exemption is denied by the property appraiser, such taxpayer may file a petition with the clerk of the value adjustment board. The taxpayer must file this petition on or before the 30th day following the mailing (postmark date) of the notice of denial. It is the sole option and responsibility of the taxpayer to file this petition.

(2) The clerk of the board shall prepare a schedule of appearances before the board based on timely filed petitions. The clerk shall notify each petitioner of the scheduled time of appearance. The notice shall be in writing, and delivered by regular or certified U.S. mail or personal delivery so that the notice shall be received by the taxpayer no less than twenty (20) fifteen (15) calendar days prior to the day of such scheduled appearance. The clerk will have prima facie complied with the requirements of this section if the notice was deposited in the U.S. mail twenty five (25) (20) days prior to the day of such scheduled appearance.

(3) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.015, 194.032, 213.05 FS. History—New 10-12-76, Formerly 12D-10.04, Amended 1-11-94, 12-28-95, 12-31-98.

12D-10.0044 Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with s. 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners.

(1) The value adjustment board must accept Forms DR-486 and DR-486T, regardless that the value adjustment board uses another such form, as permitted under s. 195.022, F.S.

(2) At least 10 days before the scheduled hearing, the petitioner shall provide the property appraiser with a list and summary of evidence to be presented at the hearing. The list and summary must be accompanied by copies of documentation to be presented at the hearing and the property tax record card where requested by the petitioner.

(3) No later than 5 days after the property appraiser receives the petitioner's documentation, the property appraiser shall provide the petitioner with a list and summary of evidence with copies of documentation to be presented at the hearing.

(4) If the taxpayer does not give the information to the property appraiser the property appraiser need not give the information to the taxpayer.

(5)(a) The exchange in subsections (2) and (3) of this rule shall be made by personal delivery, overnight mail or delivery, FAX, or email. The property appraiser shall certify to the information that was given with the date and method of delivery and shall keep a copy of what was delivered.

(b) The information shall be sent to the address listed on the petition form, and may be submitted to an email or FAX address if given.

(6) Level of detail on testimony summary: The summary shall be sufficiently detailed as to reasonably inform a party of the general subject matter of the witness' testimony, and the name and address of the witness.

(7) Hearing procedures: Neither the Board nor the special master shall take any general action regarding compliance with this section, but any action on each petition shall be considered on a case by case basis.

(8) The notice shall be in writing, and may be delivered by regular or certified U.S. mail or personal delivery so that the notice shall be received timely. A party will have prima facie complied with the requirements of this section if the notice was deposited in the U.S. mail five (5) days prior to the day of such scheduled delivery.

(9) The petitioner may reschedule the hearing one time by submitting a written request to the clerk of the board no less than 5 days before the scheduled appearance. If the reason is that the property appraiser did not supply information, the petitioner shall so state such reason.

(10) This rule provides procedures for information and evidence exchange between the petitioner and property appraiser, consistent with s. 194.032, F.S.

(11) The value adjustment board shall hold an organizational meeting and must make the uniform procedures available to petitioners. Such procedures shall be available a reasonable time following the organizational meeting and shall be a reasonable time before the commencement of hearings in conformance with this rule.

(12) Such procedures shall be available in time to permit parties to comply with them, and such procedures shall apply to petitions heard, on and after January 1, 2003.

Specific Authority 194.011(5), 194.032, 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 194.035, 213.05 FS. History—New.

## DEPARTMENT OF REVENUE

### Division of Ad Valorem Tax

RULE TITLES:	RULE NOS.:
Refunds	12D-13.009
Lien of Taxes	12D-13.011
Installment Taxes: Tax Collector	
to Mail Applications	12D-13.024
Redemption or Purchase of Tax Certificates	
Belonging to the County	12D-13.052

**PURPOSE AND EFFECT:** The purpose of the proposed amendment to Rule 12D-13.009, F.A.C., is to remove a requirement for notarization of Form DR-462 and implement the provisions of Section 6, Chapter 2002-18, Laws of Florida, providing the procedures and timeframes for refunds.

The purpose of the proposed amendment to Rule 12D-13.011, F.A.C., is to implement the provisions of Section 9, Chapter 2002-18, Laws of Florida, providing for assessment against the previous property owner for escaped taxes.

The purpose of the proposed amendment to Rule 12D-13.024, F.A.C., is to clarify that installment taxes are applicable to all ad valorem property taxes.

The purpose of the proposed amendment to Rule 12D-13.052, F.A.C., is to conform the rule to Section 197.472, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** Refund applications, procedures and timeframes. Assessment of escaped taxes against previous property owner. Installment taxes. Purchase of county held certificates.

**SPECIFIC AUTHORITY:** 195.022, 195.027(1), 213.06(1) FS.  
**LAW IMPLEMENTED:** 192.053, 193.092, 193.1145, 196.295, 197.122, 197.123, 197.131, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.323, 197.332, 197.343, 197.3632, 197.432, 197.443, 197.446, 197.472, 197.473, 197.492, 197.502, 197.582, 213.05 FS.

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

**TIME AND DATE:** 9:00 a.m., Thursday August 22, 2002

**PLACE:** Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Property Tax Technical Unit is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Sharon Gallops, (850)414-6108. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)414-6108

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

12D-13.009 Refunds.

(1) No change.

(a) For purposes of this rule section, the terms “claim”, “application”, or “request” for refund shall all mean the tendering of a signed ~~and notarized~~ Form DR-462, Application for Refund of Ad Valorem Taxes (incorporated by reference in Rule 12D-16.002, F.A.C.), to the tax collector. When a certificate of correction, Form DR-409 (incorporated by reference in Rule 12D-16.002, F.A.C.), from the property appraiser predates the Form DR-462, the claim date shall be the date the certified Form DR-409 from the property appraiser is delivered to and received by the tax collector.

(b) through (2) No change.

(3) The tax collector shall submit to the Department any claim for refund for \$400 or more resulting from a change to the assessed value or classified use value on the tax roll, resulting from an error of the property appraiser which is sought to be corrected by the correction of error procedure described in Rule 12D-8.021 or 12D-13.006, F.A.C. Refunds

of less than \$400 may be made directly by the tax collector, from undistributed funds, without approval from the Department or the various taxing authorities.

(a) through (6) No change.

(7)(a)1. Claim for refund shall be made by filing Form DR-462 with the tax collector. The claim shall state each year for which refund is being claimed. The property appraiser shall refer taxpayers to the tax collector to file a claim. No tax collector, board of county commissioners, or clerk of the court shall refuse to allow timely application for refund to be processed or forwarded to the Department for consideration. Taxpayers are not required to make payments under protest in order to subsequently file an application for refund.

2. Where funds are available from current receipts, a taxpayer is entitled to receive an approved refund within 100 days after the claim for refund is made. This time limitation may be extended for a maximum of 60 days if good cause is shown by the property appraiser, tax collector, or the Department. The procedures set forth in subsection (9) of this rule apply where funds are not available from current receipts.

(b) A certificate of correction from the property appraiser is not necessary to file an application for refund. Where a property appraiser has not made a certificate of correction, the tax collector shall forward the refund application to the property appraiser within 30 days after receipt of the application. The property appraiser has 30 days after receipt of the application to make a correction to the tax roll if the property appraiser agrees that an error has been made which can be corrected under Rule 12D-8.021 or 12D-13.006, F.A.C., and other applicable rules. After 30 days, the property appraiser shall return the refund application, with a signed Certificate of Correction, Form DR-409, to the tax collector or provide a written statement of the reason the tax roll has not been corrected. The times stated in this rule paragraph may be extended by a maximum of 60 days if good cause is stated the taxpayer shall work with the property appraiser to obtain one, if the property appraiser agrees that an error has been made which can be corrected under Rules 12D-8.021, 12D-13.006, F.A.C., and other applicable rules.

(c) A county property appraiser's appraisal determination is entitled to a presumption of correctness and may not be later adjusted through certificate of correction except as provided in Rule 12D-8.021, F.A.C. No taxpayer may challenge the assessed or taxable value unless authorized by law.

(8)(a) Upon receipt of a completed application for refund, the tax collector shall process the application or shall certify the application for refund to the Department if necessary in accordance with this rule. The request or application for refund shall be on Form DR-462. The tax collector shall certify that the refund claim is complete by signing and dating the Form DR-462. The tax collector shall attach such proof as is necessary to prove the claims. Such proof shall include, but not

be limited to, the following documents as applicable. The property appraiser shall provide proof of these items as indicated in Rule 12D-8.021, F.A.C.

1. through (c) No change.

(d) The Department must approve or deny the refund claim within 30 days after receipt. However, where good cause is stated for delaying the approval or denial of a refund, the Department may extend such approval or denial for a maximum of 60 additional days.

(9) through (10) No change.

(11) An action to contest a denial of a refund must be made within 60 days after the tax collector issues, by certified mail, the written denial or 4 years after January 1 of the year for which the taxes were paid, whichever is later.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.1145, 196.295, 197.122, 197.123, 197.131, 197.182, 197.2301, 197.323, 197.332, 197.343, 197.3632, 197.432, 197.443, 197.473, 197.492, 197.502, 197.582, 213.05 FS. History—New 6-18-85, Formerly 12D-13.09, Amended 12-10-92, 12-31-98, 12-30-99,\_\_\_\_\_.

12D-13.011 Lien of Taxes.

(1) through (3) No change.

(4) A lien created through the back assessment on real property acquired by a bona fide purchaser, as defined under s. 193.092(1), F.S., that had no knowledge that the property purchased had escaped taxation shall be assessed to the previous owner in accordance with and in the manner prescribed under s. 193.092(1), F.S. Such recorded liens comprise a lien on property in the same manner as a recorded judgment and may be enforced by the tax collector using all remedies related to recorded judgments.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 192.053, 193.092, 197.122, 197.332, 197.432, 213.05 FS. History—New 6-18-85, Formerly 12D-13.11, Amended 12-13-92, 12-31-98,\_\_\_\_\_.

12D-13.024 Installment Taxes: Tax Collector to Mail Applications.

(1)The tax collector shall mail, to those taxpayers requesting it, an application for installment payment of ad valorem property real estate taxes, Form DR-534, (incorporated by reference in Rule 12D-16.002, F.A.C.). It shall only be necessary to mail one application to owners of multiple parcels. Owners of multiple parcels shall be notified that additional applications may be obtained from the tax collector upon request.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.222, 197.322, 197.3632, 213.05 FS. History—New 6-18-85, Formerly 12D-13.24, Amended 12-13-92,\_\_\_\_\_.

12D-13.052 Redemption or Purchase of Tax Certificates Belonging to the County.

(1) When tax certificates are struck off to the county, they shall be held by the tax collector of the county in which the property is located. A tax certificate struck off to the county may be redeemed in whole or in part, at any time before a tax deed has been issued or before the property is placed on the list



of lands available for sale ~~the vesting of title in the county~~, so long as the interest to be redeemed can be ascertained by legal description. Except for certificates struck off to the county pursuant to Section 197.432, F.S., and Rule 12D-13.047, F.A.C., a tax certificate struck off ~~to by~~ the county may be purchased, in whole or in part, at any time before a tax deed application has been issued or before the property is placed on the list of lands available for sale, filed with the tax collector so long as the interest to be purchased can be ascertained by legal description.

(2) through (3) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 197.172, 197.3632, 197.432, 197.446, 197.472, 213.05 FS. History—New 6-18-85, Formerly 12D-13.52, Amended 5-23-91, 12-13-92, 12-31-98, \_\_\_\_\_.

## DEPARTMENT OF REVENUE

### Division of Ad Valorem Tax

RULE TITLE: INDEX TO FORMS  
RULE NO.: 12D-16.002

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12D-16.002, F.A.C., is to implement forms revisions created in Chapters 2002-18, 2002-52, and 2002-271, Laws of Florida, and incorporate other technical changes made to forms.

SUBJECT AREA TO BE ADDRESSED: Forms revisions.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS.

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

TIME AND DATE: 9:00 a.m., Thursday, August 22, 2002

PLACE: Room 116, Larson Building, 200 E. Gaines St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained from: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Property Tax Technical Unit is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Sharon Gallops, (850)414-6108. If you are hearing or speech impaired,

please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8700 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Tax Law Specialist, Department of Revenue, Property Tax Technical Unit, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)414-6108

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

#### 12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

Form Number	Form Title	Effective Date
(2) DR-401	Private Car and Freight Line Equipment Companies Annual Report to State of Florida Department of Revenue Property Tax Administration (r. <del>41/04</del> )	<u>12/02</u> <del>42/04</del>
(3) through (7)(b) No change.		
(c) DR-405	Tangible Personal Property Tax Return (r. <u>12/02</u> <del>42/00</del> )	<u>12/02</u> <del>42/04</del>
(8) No change.		
(9)(a) DR-409	Certificate of Correction of Tax Roll (r. <u>12/02</u> <del>6/98</del> )	<u>12/02</u> <del>42/98</del>
(b) through (16)(a) No change.		
(b) <u>DR-453B</u>	Notice of Tax Lien for Assessment of Escaped Taxes (n. <u>12/02</u> )	<u>12/02</u>
(c) <del>DR-455</del>	Renewable Energy Source Device Exemption Application (r. 6/92)	12/94
(17) No change.		
(18) DR-462	Application for Refund of Ad Valorem Taxes (r. <u>12/02</u> <del>41/92</del> )	<u>12/02</u> <del>42/94</del>
(19) through (21)(a) No change.		
(b) DR-474	Notice of Proposed Property Taxes (r. <u>12/02</u> <del>4/02</del> )	<u>12/02</u> <del>42/04</del>
(c) No change.		
(d) DR-474N	Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. <u>12/02</u> <del>4/02</del> )	<u>12/02</u> <del>42/04</del>
(22) through (24) No change.		
(25)(a) DR-486	Petition to Value Adjustment Board (r. <u>12/02</u> <del>42/96</del> )	<u>12/02</u> <del>42/96</del>
(b) DR-486T	Petition to Value Adjustment Board-Tangible Personal Property (r. <u>12/02</u> <del>2/92</del> )	<u>12/02</u> <del>42/94</del>
(c) through (33)(a) No change.		
(b) DR-499	Renewal Application for Agricultural or High-Water Recharge Classification of Lands (r. <u>12/02</u> <del>42/96</del> )	<u>12/02</u> <del>42/96</del>

(c) No change.

(34) DR-499R Renewal Application for  
Agricultural Classification of  
Lands-Receipt (r. 12/02 6/94) 12/02 6/94

(35) through (37) No change.

(38)(a) DR-501 Original Application for Ad Valorem  
Tax Exemption (r. 12/02 12/99) 12/02 12/00

(b) through (c) No change.

(d) DR-501SC Sworn Statement of Adjusted  
Gross Income of Household and  
Return (r. 12/02 12/00) 12/02 12/01

(39)(a) DR-501S Eligibility Criteria to Qualify  
for Property Tax Exemption  
(r. 12/02 11/01) 12/02 12/01

(b) through (46)(a) No change.

(b) DR-513 Tax Collector's Certification  
(r. 12/02 12/00) 12/02 12/01

(47) through (51)(a) No change.

(b) DR-534 Notice and Application for  
Alternative Payment of 2003 2002  
Property Taxes (r. 12/02 11/01) 12/02 12/01

(52) through (60) No change.

(61)(a) DR-593 Application for Section 218.66,  
F.S. Special Distributions for  
Contested Property Taxes (n. 6/98) 12/98

(b) DR-593A Application for Section  
194.035, F.S., Reimbursement  
Special Master Payments By Small  
Counties (n. 12/02) 12/02

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS. History-New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01,\_\_\_\_\_.

## DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:  
Aggregate Source Approval 14-103

RULE TITLE: RULE NO.:  
Source Approval Requirements 14-103.004

PURPOSE AND EFFECT: This proposed amendment is to remove Section (6) and (6)(a) of Rule 14-103.004. There is insufficient statutory authority for the provisions outlined in this section. There are no proposed amendments to any of the other sections within the rule other than the renumbering of Section (7) to (6).

SUBJECT AREA TO BE ADDRESSED: Rule 14-103.004 is being amended to remove Section (6) relating to Fees and Costs. There are no proposed amendments to any of the other sections within the rule other than the renumbering of Section (7) to (6).

SPECIFIC AUTHORITY: 334.044(2), (10)(c) FS.

LAW IMPLEMENTED: 334.044(10)(a), (b), (c), (13), 337.105(1), 337.11, 337.164 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-103.004 Source Approval Requirements.

(1) through (5) No change.

~~(6) Fees and Costs.~~

~~(a) All producers for proposed out-of-country sources of mineral aggregate will be required to pay for the Department's actual transportation costs to and from the source location for the purpose of the initial inspection and evaluation of the source for source approval, as well as the annual inspection for out-of-country mines. This is to include air fare or Department vehicle rental costs, if needed, and/or mileage rates if a Department vehicle is used. The producer will pre-pay transportation costs. Costs of meals and accommodations will be borne by the Department. Should multiple sources be evaluated for approval on the same trip, transportation costs will be applied proportionally.~~

~~(6)(7)~~ Source Classifications. These classifications are based on the Department's ability and resources. In circumstances that preclude the Department's ability to perform its QA function at the source, the Department reserves the right to change a source classification with a minimum of a month's notice given to the producer.

(a) through (b) No change.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History-New 10-20-92, Amended\_\_\_\_\_.

## DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: RULE CHAPTER NO.:  
Market Classification, Maturity

Standards and Processing  
or Packing Restrictions  
for Hybrids

20-13

RULE TITLES: RULE NOS.:

Robinson Tangerines; Classification  
and Standards 20-13.007

K-Early Citrus Fruit; Classification  
and Standards 20-13.008

**PURPOSE AND EFFECT:** Repeal of rule in order to declassify Robinson Tangerines and K-Early Citrus Fruit to insure fruit is shipped interstate and intrastate on the same schedule and classifications as the Citrus Administrative Committee.

**SUBJECT AREA TO BE ADDRESSED:** Declassification of Robinson Tangerines and K-Early Citrus Fruit.

**SPECIFIC AUTHORITY:** 601.10(1),(7), 601.11, 601.9910(3) FS.

**LAW IMPLEMENTED:** 601.11, 601.21, 601.9910(3) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

#### DEPARTMENT OF CITRUS

**RULE CHAPTER TITLE:** Loading Manifest to be Furnished to the Inspector – Fresh Citrus Fruit  
**RULE CHAPTER NO.:** 20-40

**RULE TITLE:** Requirements of Manifest  
**RULE NO.:** 20-40.001

**PURPOSE AND EFFECT:** Amending rule to declassify Dancy Tangerines to insure fruit is shipped interstate and intrastate on the same schedule and classifications as the Citrus Administrative Committee.

**SUBJECT AREA TO BE ADDRESSED:** Declassification of Dancy Tangerines.

**SPECIFIC AUTHORITY:** 601.10(1), 601.11 FS.

**LAW IMPLEMENTED:** 601.091, 601.11, 601.46, 601.52, 601.99 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Health Care Cost Containment Board

**RULE TITLE:** Florida Hospital Uniform Reporting System  
**RULE NO.:** 59E-5.102

**PURPOSE AND EFFECT:** The Agency intends to hold a rule development workshop to implement changes to the Florida Hospital Uniform Reporting System (FHURS) in accordance with Chapter 409.911(1), F.S., as amended by the 2002 session of the legislature. The purpose of the workshop is to present the Agency's preliminary changes to the FHURS manual for discussion and comment.

**SUBJECT AREA TO BE ADDRESSED:** Changes to the FHURS manual Chapter III, Description of Accounts, pages 3.09 & 3.10 and Chapter IV, Glossary of Health Care Terminology-Definitions.

**SPECIFIC AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 409.911(1) FS.

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

**TIME AND DATE:** 1:00 p.m. – 5:00 p.m., August 20, 2002

**PLACE:** Conference Room D, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Douglas E. Pierce, Health Facility Regulation/Financial Analysis Office, MS 28, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)922-7858 E-mail: pierced@fdhc.state.fl.us

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

#### DEPARTMENT OF MANAGEMENT SERVICES

##### Division of Purchasing

**RULE CHAPTER TITLE:** Office of Supplier Diversity  
**RULE CHAPTER NO.:** 60A-2

**RULE TITLES:** Definitions  
**RULE NOS.:** 60A-2.010

Supplier Diversity Utilization  
Plan and Report 60A-2.015

Compliance with Minority Business  
Utilization Plans 60A-2.020

Certification Requirements 60A-2.025

Documents Required for Certification 60A-2.030

Certification Renewal 60A-2.035

Certification Revocation 60A-2.040

Certification Through Reciprocity 60A-2.045

Administrative Hearings 60A-2.050

**PURPOSE AND EFFECT:** The Office of Supplier Diversity is considering enacting rules that will simplify agency reporting and simplify the rules relating to certification of minority businesses pursuant to Chapters 287 and 288, Florida Statutes. Additionally, the rules under development would allow

certification of a business based upon certification received from a local government or organization, if the requirements for certification by other entity are substantially the same as the state's requirements. This rule development would also include repeal of the rules relating to this subject currently appearing in Rule Chapter 38A, F.A.C., and renaming Rule Chapter 60A-2, F.A.C., to be consistent with statutory language.

SUBJECT AREA TO BE ADDRESSED: Encouraging minority businesses to participate in state government's procurement of goods and services.

SPECIFIC AUTHORITY: 287.09451(4) FS.

LAW IMPLEMENTED: 287.09451, 287.0943, 288.703 FS.

IF REQUESTED AND NOT DEEMED UNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., August 29, 2002

PLACE: Department of Management Services, 4050 Esplanade Way, Room 310, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia P. Forrester, Assistant General Counsel, Office of the General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee FL 32399-0950, (850)414-0240, forresj@dms.state.fl.us.

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

## DEPARTMENT OF HEALTH

### Board of Hearing Aid Specialists

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B6-7.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialist, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

## DEPARTMENT OF HEALTH

### Board of Occupational Therapy Practice

RULE TITLE: Applicants Seeking Reentry

RULE NO.: 64B11-2.012

PURPOSE AND EFFECT: The Board proposes to create a new rule which will require persons who are attempting to reenter the field of occupational therapy to submit continuing education documentation.

SUBJECT AREA TO BE ADDRESSED: Applicants Seeking Reentry.

SPECIFIC AUTHORITY: 468.204, 468.209 FS.

LAW IMPLEMENTED: 468.209(5) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

#### 64B11-2.012 Applicants Seeking Reentry.

An applicant seeking reentry into the profession who has not been in active practice within the last five years must submit to the Board documentation of 50 occupational therapy continuing education units, 12 of which may be home study, taken within the year prior to licensure.

Specific Authority 468.204, 468.209 FS. Law Implemented 468.209(5) FS. History-New.

## DEPARTMENT OF HEALTH

### Board of Occupational Therapy Practice

RULE TITLE: Applicants Seeking Reentry

RULE NO.: 64B11-3.009

PURPOSE AND EFFECT: The Board proposes to create a new rule which will require persons who are attempting to reenter the field of occupational therapy to submit continuing education documentation.

SUBJECT AREA TO BE ADDRESSED: Applicants Seeking Reentry.

SPECIFIC AUTHORITY: 468.204, 468.209 FS.

LAW IMPLEMENTED: 468.209(5) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-3.009 Applicants Seeking Reentry.

An applicant seeking reentry into the profession who has not been in active practice within the last five years must submit to the Board documentation of 50 occupational therapy continuing education units, 12 of which may be home study, taken within the year prior to licensure.

Specific Authority 468.204, 468.209 FS. Law Implemented 468.209(5) FS. History--New

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: RULE NO.:

Continuing Education Program Approval 64B11-6.001

PURPOSE AND EFFECT: The Board proposes to update and add to existing rule text.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Program Approval.

SPECIFIC AUTHORITY: 456.013(8), 456.025, 468.204, 468.219(2) FS.

LAW IMPLEMENTED: 468.219(2), 468.221 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-6.001 Continuing Education Program Approval.

(1) through (3) No change.

(4)(a) Programs meeting the above criteria and offered by the Florida Occupational Therapy Association (FOTA), the American Occupational Therapy Association (AOTA) and occupational therapy courses accredited by an accrediting

board for occupational therapy shall be approved by this Board for continuing education and shall not pay the fees required in subsection (1) of this rule.

(b) Courses sponsored by a college or university when providing a curriculum for occupational therapists or occupational therapy assistants shall be awarded 10 hours of continuing education credit per semester hour.

(5) No change.

(6) A maximum of five contact hours may be awarded per biennium for approved videocassette courses prepared or updated not more than two years prior to the date of viewing or presentation. The Board shall approve videocassette courses that meet the content and criteria requirements set forth in (5). At time of course presentation, rental, or sale, the course vendor, in lieu of the certificate of completion, shall provide the licensee with a signed course validation form. The licensee shall sign this form on the date that the course is actually taken or viewed indicating full attendance and successful completion. It shall be retained for four years with a copy for the department at the time of licensure renewal.

(7)(6) A maximum of eight contact hours may be awarded per biennium for each of the following or a combination of the following:

(a) through (c) No change.

(8)(7) In addition to the continuing education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 468, Part III, F.S., the Occupational Therapy Practice Act, shall receive 3.0 hours of credit for each case reviewed. A volunteer expert witness may not accrue in excess of 6.0 hours of credit per biennium pursuant to this paragraph.

Specific Authority 456.013(8), 456.025, 468.204, 468.219(2) FS. Law Implemented 468.219(2), 468.221 FS. History--New 8-1-95, Amended 8-27-96, Formerly 59R-65.001, Amended 7-21-98, 4-25-01, 6-25-02

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE TITLE: RULE NO.:

Application for Examination and Licensure 64B12-9.0015

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments to the existing text is necessary.

SUBJECT AREA TO BE ADDRESSED: Application for examination and licensure.

SPECIFIC AUTHORITY: 456.013, 456.017, 456.072(2),(5), 484.005, 484.007, 484.014(2) FS.

LAW IMPLEMENTED: 456.013, 456.017, 455.213(1), 456.072(2),(5), 484.007, 484.014(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

## DEPARTMENT OF HEALTH

### Board of Opticianry

RULE TITLE: Enforcement  
RULE NO.: 64B12-16.008

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments to the existing text is necessary.

SUBJECT AREA TO BE ADDRESSED: Enforcement.

SPECIFIC AUTHORITY: 484.005, 484.007(1) FS.

LAW IMPLEMENTED: 484.007(1)(d)4. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

## DEPARTMENT OF HEALTH

### Board of Optometry

RULE TITLE: Criteria for Approval  
RULE NO.: 64B13-5.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify that continuing optometric education programs sponsored or approved by schools or colleges of optometry set forth in this section do not need to seek prior approval so long as the listed organizations impose requirements similar to or more stringent than required of this rule chapter.

SUBJECT AREA TO BE ADDRESSED: Criteria for Approval.

SPECIFIC AUTHORITY: 463.005(1) FS.

LAW IMPLEMENTED: 463.007(4) FS.

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

TIME AND DATE: 9:00 a.m., September 13, 2002

PLACE: Radisson Riverwalk, 1515 Prudential Drive, Jacksonville, FL 32207, (907)396-5100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.002 Criteria for Approval.

(1) through (4) No change.

(5) Notwithstanding the provisions of (1) and (2) of this rule on transcript quality, continuing optometric education programs sponsored or approved by schools or colleges of optometry, Council Optometric Practitioner Education, the American Optometric Association, the American Academy of Optometry, the Florida Optometric Association, or any of the component or affiliate organizations are hereby approved by the Board. Neither those providers nor the programs they provide need to be submitted to the Board for prior approval, so long as the listed organizations impose requirements similar to or more stringent than those required by the Board in this rule chapter.

Specific Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History--New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00, 5-8-02, \_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Optometry

RULE TITLES: Inactive Status  
RULE NOS.: 64B13-11.001

Delinquent Status License 64B13-11.004

PURPOSE AND EFFECT: The Board proposes to update these rules to remove obsolete language.

SUBJECT AREA TO BE ADDRESSED: Inactive Statues and Delinquent Status Licenses.

SPECIFIC AUTHORITY: 456.036, 463.005(1), 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.036, 463.007, 463.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-11.001 Inactive Status.

(1) Any licensee may elect at the time of license renewal to place the license into inactive status by ~~filing with the board a complete application for inactive status and~~ paying the inactive status fee of subsection 64B13-6.001(8), F.A.C. ~~For the purpose of this section, a complete application shall be a renewal form provided by the Department of Health on which the licensee affirmatively elects inactive status.~~

(2) An inactive status licensee ~~whose license has been in inactive status for less than two consecutive biennial licensure cycles~~ may change to active status at any time provided the licensee meets the following requirements of Rule 64B13-5.001, F.A.C.:

(a) ~~Completes continuing education consisting of:~~

1. ~~Completion of fifteen (15) clock hours per year of continuing professional education which fulfills the requirements of rule 64B13-5.001, for each year the license was inactive. At least five (5) of the fifteen (15) clock hours must be of "transcript quality" as defined in rule 64B13-5.001. However, a license which has been inactive for less than one (1) year is not required to satisfy this requirement.~~

2. ~~Completion of thirty (30) hours of approved continuing professional education which were required for renewal of an active license on the date the license became inactive in the manner provided for in Rule 64B13-5.001;~~

(a)(b) ~~Discloses any disciplinary action that has been taken against any license to practice optometry the practitioner possessed in any jurisdiction during the time period in which the Florida license was inactive;~~

(b)(c) ~~Pays the active status fee of subsection 64B13-6.001(4), F.A.C., for each biennium during which the license was inactive;~~

(c)(d) ~~Pays the reactivation fee of subsection 64B13-6.001(5), F.A.C.; and~~

(d)(e) ~~If applicable, the change of status fee in subsection 64B13-6.001(14), F.A.C.~~

(3) An inactive status licensee whose license has been in inactive status for more than two consecutive biennial licensure cycles and who applies for active status may change to active status at any time provided the licensee meets the following requirements:

(a) Meets the continuing education requirements of Rule 64B13-5.001, ~~41.001(2)~~, F.A.C.;

(b) through (f) No change.

(g) ~~Files with the board a complete application. For the purpose of this section, a complete application shall be the application required for initial licensure or certification.~~

~~(4) Any inactive licensee who elects active status is not eligible to elect to return to inactive status until the next licensure renewal period.~~

~~(4)(5)~~ Pursuant to Section 463.015(1)(a), F.S., it is unlawful to practice optometry with an inactive license.

Specific Authority 456.036, 463.005(1), 463.007, 463.008 FS. Law Implemented 456.036, 463.007, 463.008 FS. History—New 11-20-86, Formerly 21Q-11.001, 61F8-11.001, Amended 12-22-94, Formerly 59V-11.001, Amended \_\_\_\_\_.

64B13-11.004 Delinquent Status License.

(1) through (2) No change.

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

~~(a) File with the board the complete application for either active or inactive status as defined in rule 64B13-11.001;~~

~~(b) Pay to the board either the active status fee of subsection 64B13-6.001(4) or the inactive status license fee of subsection 64B13-6.001(8), the delinquent status license fee of subsection 64B13-6.001(15), and, if applicable, the change of status fee of subsection 64B13-6.001(14), F.A.C..~~

(4) The delinquent status licensee who applies for active status license shall, in addition to complying with (3) immediately above, affirm compliance with the continuing education requirements of Rule 64B13-5.001 ~~4.001(2)~~, F.A.C.

Specific Authority 456.036, 463.005(1) FS. Law Implemented 456.036 FS. History—New 12-22-94, Formerly 59V-11.004, Amended 8-29-99, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE TITLE:

RULE NO.:

Disciplinary Guidelines

64B33-5.001

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule pertaining to disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 456.072, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 468.719 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Economic Self-Sufficiency Program

RULE TITLE: Forms for Client Notice and Contact  
 RULE NO.: 65A-1.400

PURPOSE AND EFFECT: This proposed amendment of Rule 65A-1.400, F.A.C., will change the forms that are incorporated by reference in this rule. At the time this rule was created, it was intended to contain all forms for client notice and contact. This has proven to be cumbersome practice. Some client notice and contact forms have been included in other rules over time. Consequently, by this action, only those forms that apply to all programs will be included in this rule, and only to the extent that a separate rule does not exist on the subject matter of the form. All forms to be affected by this action have not yet been identified so that specific forms are not being listed in this notice.

SUBJECT AREA TO BE ADDRESSED: This rule amendment may place revised editions of forms incorporated by reference into Rule 65A-1.400, F.A.C., may newly incorporate some forms by reference and may remove some forms from the rule.

SPECIFIC AUTHORITY: 409.919, 410.033, 414.45 FS.

LAW IMPLEMENTED: 400.903, 409.904, 410.033, 414.065, 414.075, 414.085, 414.095, 414.105, 414.115, 414.122, 414.125, 414.13, 414.16, 414.21, 414.28, 414.31 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., August 19, 2002

PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Audrey Mitchell, Program Administrator, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

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

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Economic Self-Sufficiency Program

RULE TITLE: SSI-Related Medicaid Post-Eligibility Treatment of Income  
 RULE NO.: 65A-1.714

PURPOSE AND EFFECT: This proposed amendment of Rule 65A-1.714, F.A.C., places criteria for budgeting uncompensated medical expenses into rule.

SUBJECT AREA TO BE ADDRESSED: This rule amendment defines the criteria to be used for allowing uncompensated medical expenses in the budgeting process for determining Hospice and Institutional Care Services eligibility.  
 SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 400.903, 409.904, 414.919 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., August 19, 2002

PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, Building 3, Room 421, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

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

## Section II Proposed Rules

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Securities and Finance

RULE TITLES: Definitions  
 RULE NOS.: 3D-40.001

Application Procedure for Change in Ownership or Control of Saving Clause Mortgage Lender  
 3D-40.100

Application Procedure for Mortgage Lender License  
 3D-40.200

Application Procedure for Correspondent Mortgage Lender License  
 3D-40.220

Principal Representative  
 3D-40.242

PURPOSE AND EFFECT: The Purpose of the proposed amendments is to clarify the implementation of legislative changes to Chapter 494, Florida Statutes, made by Chapter 2001-228, Laws of Florida, which took effect October 1, 2001, as to the designation of a "principal representative," specifically, Sections 494.001(29), 494.0061(8), and 494.0062(11), F.S.

SUMMARY: The proposed amendments define statutory terms, and specify that a description of duties must be added to designations of "principal representative."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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