

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
General Eligibility Requirements	4-202.008
Annual Statement	4-202.012
Forms Incorporated by Reference	4-202.015

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: The amendments update the forms used for donor annuity agreements. The changes are being made to reflect that the forms are now Office of Insurance Regulation forms rather than Department of Insurance forms. The amendment also provides a website address where the forms can be obtained.

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.481 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: 9:00 a.m., September 2, 2003

PLACE: Room 143, 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 below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bruce Lulofs, Bureau of Specialty Insurers, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0331, (850)413-2490

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-202.008 General Eligibility Requirements.

(1) Any person engaging in the business of issuing donor annuity agreements ~~must shall~~ notify the ~~Office Department~~ in writing in a form prescribed by the ~~Office Department~~ in Form ~~OIR-C1~~ OIR-A3 ~~DI4-1208 (rev. 6/96)~~, Notification to the Florida ~~Office of Insurance Regulation Department of Insurance~~ as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes, adopted in paragraph 4-202.015(1)(a), F.A.C. The notice ~~must shall~~ be made ~~on by August 13, 1996, or~~ the date on which the person first enters into a donor annuity agreement.

(2) Any person subject to Section 627.481, Florida Statutes, that fails to submit the required notification form is subject to penalty as provided in Section 626.9521, Florida Statutes.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 6-23-92, Amended 1-7-97, _____.

4-202.012 Annual Statement.

(1) Within 60 days of the end of each fiscal year, each qualifying issuer of donor annuity agreements in this state must submit a sworn statement on the form prescribed by the ~~Office Department~~ in Form ~~OIR-A3~~ DI4-1209 (rev. 6/96), Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements, adopted in ~~paragraph Rule~~ 4-202.015(1)(c), F.A.C., attesting that the issuer has met all requirements of law.

(2) ~~Issuers that fail to submit the sworn statement in subsection (1) shall submit Failure to submit the statement referenced in (1) shall result in the Department requiring the issuer to submit an annual report in a form prescribed by the Department in Form DI4-485 (rev. 6/96), Annual Report, adopted in Rule 4-202.015(1)(b), F.A.C., including~~ audited financial statements, and any information relating to the operations of the issuer necessary to determine compliance.

Specific Authority 624.308 FS. Law Implemented 624.307, 624.307(1), 627.481 FS. History—New 6-23-92, Amended 1-7-97, _____.

4-202.015 Forms Incorporated by Reference.

(1) The following forms are incorporated ~~into this rule chapter~~ by reference to implement the provisions of Section 627.481, Florida Statutes:

Title	Form Number
(a) Notification to the Florida Office of Insurance Regulation Department of Insurance as a Qualifying Issuer of Donor Annuity Agreements Pursuant to Section 627.481, Florida Statutes	OIR-C1 DI4-1208 (rev. 07/03 6/96)
(b) Annual Report	DI4-485 (rev. 6/96)
(b)(c) Sworn Statement in Lieu of Annual Statements For Issuers of Donor Annuity Agreements	OIR-A3 DI41209 (rev. 07/03 6/96)

(2) ~~These forms shall become effective on the date this rule becomes effective.~~ Copies of the forms may be obtained from the ~~Office of Insurance Regulation Department of Insurance~~, Bureau of Specialty Insurers, Larson Building, Tallahassee, FL 32399-0331 ~~0300~~, or on the Department of Financial Services website at www.fldfs.com.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.481 FS. History—New 7-15-90, Formerly 4-117.015, Amended 6-23-92, 1-7-97, _____.

DEPARTMENT OF INSURANCE**Division of Treasury**

RULE TITLE: The Plan; Prescribed Forms
 RULE NO.: 4C-6.003

PURPOSE AND EFFECT: The purpose and effect of the rule is to adopt an amended State of Florida Employees Deferred Compensation Plan with Investment Manager Guidelines and Retention Policy and Related Forms. Changes to the plan include:

- Changing "Treasurer" to "Chief Financial Officer"
- Referencing the new Investment Manager Guidelines and Retention Policy
- Clarifying language regarding funding the administration of the plan
- Allowing internet enrollment and changes in account information expanding the period to participate in the catch-up provisions to the 3 years prior to normal retirement age as allowed by 26 USC 457(b)(3)
- Simplifying provisions relating to beneficiary designations
- Making various minor corrections

SUBJECT AREA TO BE ADDRESSED: Changes to the Plan, Investment Manager Guidelines, Retention Policy and Forms.

SPECIFIC AUTHORITY: 112.215(11) FS.

LAW IMPLEMENTED: 18.125(4)(c), 112.215 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: 9:30 a.m., Thursday, September 4, 2003

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 below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kandi Winters, Financial Administrator, Division of Treasury, Deferred Compensation Section, Department of Financial Services, 408 Hermitage, Tallahassee, Florida 32399, (850)413-3162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4C-6.003 The Plan; Prescribed Forms.

(1) Form DI4-1176 (rev. 7/03 ~~4/02~~), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) The forms listed below are incorporated into and made a part of this rule chapter by reference and shall take effect on the effective date of these rules. The forms can be obtained from investment providers servicing the plan. A listing of authorized investment providers can be obtained from the Deferred Compensation Section, Division of State Treasury, 200 East Gaines Street, Tallahassee, Florida 32399-0346.

(a) Form DI4-1163 (rev. 3/03 ~~4/02~~) Participant Action Form

(b) Form DI4-1164 (rev. 3/03 ~~4/02~~) Enrollment Information Form

(c) through (l) No change.

(m) Form DI4-1541 (rev. 7/03) Investment Manager Guidelines and Retention Policy

(3) through (4) No change.

Specific Authority 112.215(11) FS. Law Implemented 18.125(4)(c), 112.215 FS. History--New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-3-02, _____.

DEPARTMENT OF INSURANCE**Division of Workers' Compensation**

RULE TITLE: Benefits and Administration Trust Fund
 RULE NO.: 4L-24.0231

Penalties Improper Filing Practices

PURPOSE AND EFFECT: The purpose and effect of the proposed language is to state that late filing penalties apply to late filed electronic and paper submissions, and establishes criteria regarding the determination of whether a first report of injury or illness electronic filing submitted to the Division is timely.

SUBJECT AREA TO BE ADDRESSED: Penalties for late-filed submissions regarding workers' compensation claims.

SPECIFIC AUTHORITY: 440.13(11)(b), 440.185, 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.13(11)(b), 440.185(9), 440.20(8)(a) 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: 9:00 a.m., September 2, 2003

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gregory Jenkins, Chief, Bureau of Monitoring and Audit, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)488-2031, ex. 153.

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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4L-24.0231 Benefits and Administration Trust Fund Penalties Improper Filing Practices.

(1)(a) Failure to timely file, by electronic or paper submission, legible and complete forms, reports, or documents as required by Chapter 440, Florida Statutes, Chapter 4L-3, F.A.C., or other Division rules implementing Chapter 440, Florida Statutes, shall subject the party required to file such form, report or document to assessment by the Division of a civil penalty. For purposes of this rule, a paper form, report or document is timely filed when it is postmarked and mailed prepaid prior to the expiration of the time periods prescribed in this rule, and Chapter 4L-3, F.A.C. For purposes of this rule, an electronically submitted First Report of Injury or Illness is timely filed if the carrier receives a Transaction Accepted (TA) Acknowledgement Code from the Division within 21 days after the carrier's knowledge of the injury. Penalties shall be assessed as follows:

(b) No change.

Specific Authority 440.13(11)(b), 440.185, 440.591, 440.593(5) FS. Law Implemented 440.13(11)(b), 440.185(9), 440.20(8)(a) FS. History—New 8-29-94, Amended 5-14-95, 6-4-97, 11-28-01, Formerly 38F-24.0231, Amended _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Pesticides 5E-2

RULE TITLE: RULE NO.:

Performance Standards and Acceptable Test

Conditions for Preventive Termite

Treatments for New Construction 5E-2.0311

PURPOSE AND EFFECT: This rule amendment would provide that any soil applied treatment for preventative treatment for new construction that allowed perimeter and limited area treatments would have to conduct building tests and meet a performance standard of no termite infestation in 90% of test buildings for five years. This rule would apply to registered pesticide products labeled for preventative treatment for new construction.

SUBJECT AREA TO BE ADDRESSED: This amendment addresses soil applied residual treatments meeting performance standards based on field tests that simulate a full coverage treatment under the foundation of a structure.

SPECIFIC AUTHORITY: 487.041(4)(e) FS.

LAW IMPLEMENTED: 487.041(4)(e) 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., September 30, 2003

PLACE: George Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Steven Dwinell, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.0311 Performance Standards and Acceptable Test conditions for Preventive Termite Treatments for New Construction.

(1) Performance Standards for Preventive Termite Treatments for New Construction.

The registrant of any pesticide product containing a label statement that includes directions for use as a preventive treatment for subterranean termites for new construction shall provide data to the Department demonstrating that the product meets the performance standard specified for the type of pesticide product listed below. For products registered prior to the effective date of the rule, the registrant shall have one year from the effective date of the rule to provide the data required to meet the performance standards or the period of time specified to meet the test conditions herein, whichever is greater. When data generation requires more than one (1) year, the registrant shall provide annual reports to the Department. In the event that a performance standard is not met during the test period, the provisions of Section 487.041(4)(e), F.S., shall apply.

(a) For soil applied residual treatments:

1. through 2. No change.

3. For products with label directions that allow preventative treatments for new construction other than complete coverage under a foundation, the product shall meet the performance standard specified in subparagraph (1)(d)2., of this rule and data provided to demonstrate that the performance standard was met shall be developed in accordance with paragraph (2)(c) of this rule.

(b) through (3) No change.

Specific Authority 487.041(4)(e) FS. Law Implemented 487.041(4)(e) FS. History—New 3-23-03, Amended _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**Division of Forestry**

RULE CHAPTER TITLE: Forestry
 RULE CHAPTER NO.: 5I-4
 RULE TITLES: PURPOSE AND EFFECT: This purpose is to provide guidance to Department staff and information to the public regarding use of lands managed by the Department for specific activities, and to comply with similar existing laws and rules. The effect will improve administration and provide guidance for public use.
 Purpose and Definitions 5I-4.002
 Vehicular, Animal and Pedestrian Control 5I-4.003
 Protection of Managed Lands 5I-4.005
 Recreational Activities and Facilities 5I-4.006
 Garbage, Water Pollution and Glass Containers 5I-4.007
 Vendors; Authorization; Fees 5I-4.008
 Penalties for Violations 5I-4.011

PURPOSE AND EFFECT: This purpose is to provide guidance to Department staff and information to the public regarding use of lands managed by the Department for specific activities, and to comply with similar existing laws and rules. The effect will improve administration and provide guidance for public use.

SUBJECT AREA TO BE ADDRESSED: Revisions to the existing Administrative Rule Chapter No.: 5I-4, F.A.C., regarding the management and use of lands managed by the Florida Department of Agricultural and Consumer Services, Division of Forestry.

SPECIFIC AUTHORITY: 589.011(4), 589.071, 589.12 FS.

LAW IMPLEMENTED: 589.011(1),(3),(4), 589.071 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Waldron, Forest Recreation Coordinator, Department of Agriculture and Consumer Services, Division of Forestry, 3125 Conner Blvd., C-25, Tallahassee, Florida 32399-1650, (850)414-9852

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

DEPARTMENT OF REVENUE**Division of Ad Valorem Tax**

RULE TITLE: Assessment of Mobile Homes
 RULE NO.: 12D-6.002
 PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-6.002, F.A.C., is to implement the provisions of chapter 2003-282, L.O.F., which provides that titles to mobile homes that are permanently affixed to real property may be retired and to further delineate the facts to be considered in determining when a mobile home is tangible personal property.

SUBJECT AREA TO BE ADDRESSED: Assessment of mobile homes permanently affixed to property. Circumstances under which a mobile home is presumed to be tangible personal property.

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

LAW IMPLEMENTED: 192.001, 192.011, 193.075, 213.05, 319.261, 320.015, 320.055, 320.08(11), 320.0815 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

PLACE: Larson Building, Room 116, 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 this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (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-6.002 Assessment of Mobile Homes.

(1) This rule subsection shall apply if the owner of the mobile home is also the owner of the land on which the mobile home is permanently affixed and the mobile home has a current sticker affixed, regardless of the series. This rule subsection shall also apply if the mobile home title is retired in accordance with Section 319.261, Florida Statutes.

(a) through (6) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 192.001, 192.011, 193.075, 213.05, 319.261, 320.015, 320.055, 320.08(11), 320.0815 FS. History—New 10-12-76, Formerly 12D-6.02, Amended 2-17-93, 1-11-94, 12-27-94, 12-28-95, 1-2-01, _____.

DEPARTMENT OF REVENUE**Division of Ad Valorem Tax**

RULE TITLE: Exemption of Property of Widows, Widowers, Blind Persons, and Persons Totally and Permanently Disabled; Disabled Veterans
 RULE NO.: 12D-7.003

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-7.003, F.A.C., is to clarify the value of the aggregate exemptions under Sections 196.202 and 196.24, F.S., for property of widows/widowers, blind persons, totally and permanently disabled persons and veterans.

SUBJECT AREA TO BE ADDRESSED: The amount of the combined exemptions under Sections 196.202 and 196.24, F.S.

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

LAW IMPLEMENTED: 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: 10:30 a.m., Friday, August 29, 2003

PLACE: Larson Building, Room 116, 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 this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (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-7.003 Exemption of Property of Widows, Widowers, Blind Persons, and Persons Totally and Permanently Disabled; Disabled Veterans.

(1) For the purposes of the exemption provided in Section 196.202, Florida Statutes:

(a) through (c) No change.

(d) The exemptions provided under Section 196.202, Florida Statutes, shall be cumulative. An individual who properly qualifies under more than one classification shall be granted more than one five hundred dollar exemption. However, in no event shall the combined exemption under Section 196.202, Florida Statutes, and ~~Section 196.031, Florida Statutes,~~ exceed one thousand five hundred dollars (\$1,500) for an individual ~~twenty-six thousand five hundred dollars (\$26,500).~~

(e) 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 196.202 and 196.24, 196.031, and 196.202, Florida Statutes, shall be cumulative, but in no event shall the aggregate exemption exceed \$6,000 for an individual ~~\$31,000.~~

(3) The exemptions granted by Sections 196.202 and 196.24, Florida Statutes, apply to any property owned by a bona fide resident of this state.

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, 12-30-02, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES: RULE NOS.:

Reduction in Assessment for Living

Quarters of Parents or Grandparents 12D-8.0068

Uniform Standards for Computer Operations:

Minimum Data Requirements 12D-8.011

PURPOSE AND EFFECT: The purpose of the creation of Rule 12D-8.0068, F.A.C., is to implement the provisions of chapter 2002-226, Laws of Florida, which provides for a reduction in assessment of living quarters constructed or reconstructed for parents and grandparents.

The purpose of the proposed amendment to Rule 12D-8.011, F.A.C., is to provide exemption type codes for the property appraiser's use in maintaining uniform data processing files.

SUBJECT AREA TO BE ADDRESSED: 12D-8.0068 – requirements for reducing assessments of living quarters constructed for parents or grandparents. 12D-8.011 – exemption codes for data processing files.

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

LAW IMPLEMENTED: 193.703, 195.027, 196.011, 196.031, 196.075, 196.081, 196.091, 196.101, 196.175, 196.195, 196.196, 196.197, 196.1975, 196.198, 196.1985, 196.1986, 196.199, 196.1995, 196.1997, 196.1998, 196.2001, 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: 10:30 a.m., Friday, August 29, 2003

PLACE: Larson Building, Room 116, 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 this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon

Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (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-8.0068 Reduction in Assessment for Living Quarters of Parents or Grandparents.

(1)(a) In accordance with s. 193.703, F.S. and s. 4(e), Art. VII of the State Constitution, the board of county commissioners of any county may adopt an ordinance to provide for a reduction in the assessed value of homestead property equal to any increase in assessed value of the property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive parents or grandparents of the owner of the property or of the owner's spouse if at least one of the parents or grandparents for whom the living quarters are provided is at least 62 years of age. The board of county commissioners shall deliver a copy of any ordinance adopted under Section 193.703, F.S. to the property appraiser.

(b) The reduction in assessed value resulting from an ordinance adopted pursuant to Section 193.703, F.S. shall be applicable to the property tax levies of all taxing authorities levying tax within the county.

(2) A reduction may be granted under subsection (1) only to the owner of homestead property where the construction or reconstruction is consistent with local land development regulations, including, where applicable, proper application for a building permit.

(3) In order to qualify for the assessment reduction pursuant to this section, property must meet the following requirements:

(a) The construction or reconstruction for which the assessment reduction is granted must have been substantially completed on or before the January 1 on which the assessment reduction for that property will first be applied.

(b) The property to which the assessment reduction applies must qualify for a homestead exemption at the time the construction or reconstruction is substantially complete and each year thereafter.

(c) The qualified parent or grandparent must permanently reside on the property on January 1 of the year the assessment reduction first applies and each year thereafter.

(d) The construction or reconstruction must have been substantially completed after January 7, 2003, the effective date of Section 193.703, F.S.

(4) The term "qualified parent or grandparent" means the parent or grandparent residing in the living quarters, as their primary residence, constructed or reconstructed on property qualifying for assessment reduction pursuant to Section 193.703, F.S. on January 1 of the year the assessment reduction first applies and each year thereafter. Such parent or grandparent must be the natural or adoptive parent or grandparent of the owner, or the owner's spouse, of the homestead property on which the construction or reconstruction occurred. Primary residence shall mean that the parent or grandparent does not claim a homestead exemption elsewhere in Florida. Such parent or grandparent cannot qualify as a permanent resident for purposes of being granted a homestead exemption or tax credit on any other property, whether in Florida or in another state. If such parent or grandparent receives or claims the benefit of an ad valorem tax exemption or a tax credit elsewhere in Florida or in another state where permanent residency is required as a basis for the granting of that ad valorem tax exemption or tax credit, such parent or grandparent is not a qualified parent or grandparent under this subsection, the owner is not entitled to the reduction for living quarters provided by this section. At least one qualifying parent or grandparent must be at least 62 years of age. In determining that the parent or grandparent is the natural or adoptive parent or grandparent of the owner or the owner's spouse and that the age requirements are met, the property appraiser shall rely on an application by the property owner and such other information as the property appraiser determines is relevant.

(5) Construction or reconstruction qualifying as providing living quarters pursuant to this section is limited to additions and renovations made for the purpose of allowing qualified parents or grandparents to permanently reside on the property. Such additions or renovations may include the construction of a separate building on the same parcel or may be an addition to or renovation of the existing structure. Construction or reconstruction shall be considered as being for the purpose of providing living quarters for parents or grandparents if it is directly related to providing the amenities necessary for the parent or grandparent to reside on the same property with their child or grandchild. In making this determination, the property appraiser shall rely on an application by the property owner and such other information as the property appraiser determines is relevant.

(6)(a) On the first January 1 on which the construction or reconstruction qualifying as providing living quarters pursuant to this section is substantially complete, the property appraiser shall determine the increase in the just value of the property due to such construction or reconstruction. For that year and each year thereafter in which the property qualifies for the assessment reduction pursuant to this section, assessed value calculated pursuant to Section 193.155, F.S. shall be reduced by the amount so determined. In no year may the assessment reduction, inclusive and aggregate of all qualifying parents or

grandparents, exceed twenty percent of the assessed value of the property prior to the assessment reduction being taken. If in any year the reduction as calculated pursuant to this subsection exceeds twenty percent of assessed value, the reduction shall be reduced to equal twenty percent.

(b) For those joint tenants that reside on the property and receive the homestead exemption, the exempt amount under (6)(a) shall not exceed the total of the assessed value of their interests.

(7) Further construction or reconstruction to the same property meeting the requirements of subsection (5) for the qualified parent or grandparent residing primarily on the property may also receive an assessment reduction pursuant to this section. Construction or reconstruction meeting the requirements of this section for another qualified parent or grandparent of the owner or the owner's spouse may also receive an assessment reduction. The assessment reduction for such construction or reconstruction shall be calculated pursuant to this section for the first January 1 after such construction or reconstruction is substantially complete. However, in no year may the total of all applicable assessment reductions pursuant to this section exceed twenty percent of the assessed value of the property. However, in no year may the total of all applicable assessment reductions pursuant to this section exceed twenty percent of the assessed value of the property.

(8) The assessment reduction pursuant to this section shall apply only while the qualified parent or grandparent for whom living quarters were constructed or reconstructed continue to reside primarily on the property and all other requirements of this section are met. The provisions of subsections (1), (5), (6), (7), and (8) of s. 196.011 governing applications for exemption are applicable to the granting of an assessment reduction pursuant to this section. The property owner must renew the assessment reduction annually.

(9) The amount of the assessment reduction under Section 193.703, F.S. for living quarters constructed for parents or grand parents, shall be placed on the roll after a change in ownership, when the property is no longer homestead, or when the parent or grand parent discontinues residing on the property.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.703, 196.011, 213.05 FS. History--New _____.

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)1. Exemption type. A code indicating the type of 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. The code is as follows:

A – Senior Homestead Exemption (Section 196.075, Florida Statutes)

B – Blind (Section 196.202, Florida Statutes)

C – Charitable, Religious, Scientific or Literary (Section 196.196, Florida Statutes)

D – Disabled (Sections 196.081, 196.091, 196.101, Florida Statutes)

E – Economic Development (Section 196.1995, Florida Statutes)

G – Federal Government Property (Section 196.199(1)(a), Florida Statutes); State Government Property (Section 196.99(1)(b), Florida Statutes); Local Government Property (Section 196.199(1)(c), Florida Statutes); Leasehold Interests in Government Property (Section 196.199(2), Florida)

H – Historic Property (Section 196.1997, Florida Statutes)

I – Historic Property Open to the Public (Section 196.1998, Florida Statutes)

L – Labor Organization (Section 196.1985, Florida Statutes)

M – Homes for the Aged (Section 196.1975, Florida Statutes)

N – Nursing Homes, Hospitals, Homes for Special Services (Section 196.197, Florida Statutes)

O – Widowers (Section 196.202, Florida Statutes)

P – Totally and Permanently Disabled (Section 196.202, Florida Statutes)

Q – Combination (Homestead, Disabled, Widow, Widower, Totally and Permanently Disabled, Disabled Veteran, Senior Homestead Exemption – Sections 196.031, 196.075, 196.202, 196.24, Florida Statutes)

R – Renewable Energy Source (Section 196.175, Florida Statutes)

S – Sewer and Water Not-for-Profit (Section 196.2001, Florida Statutes)

T – Community Centers (Section 196.1986, Florida Statutes)

U – Educational Property (Section 196.198, Florida Statutes)

V – Disabled Veteran (Section 196.24, Florida Statutes)

W – Widows (Section 196.202, Florida Statutes)

X – Homestead Exemption (Section 196.031, Florida Statutes)

Z – Combination (Renewable Energy Source, Economic Development – Sections 196.175, 196.1995, Florida Statutes)

2. 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 the applicable code provided in this rule paragraph ~~an alphabetic character~~ indicating an the exemption does apply. Five of six personal 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	500	P
Veteran Disabled	5000	V
Disabled (100 percent Exempt) –		D

An individual who qualified for the \$25,000 exemption may also be entitled to the \$500 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 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, or 196.101, Florida Statutes.

(p) through (q) No change.

(2) Each property appraiser shall maintain the following data in one or more of his/her data processing files regarding each personal property account in his/her county.

(a) through (l) No change.

(m) Exemption type. A code indicating the type of exemption granted the account. The code is as follows:

A – Institutional (Sections 196.195, 196.196, 196.197, Florida Statutes)

B – Non-Governmental Educational Property other than under Section 196.1985, Florida Statutes. (Section 196.198, Florida Statutes)

C – Federal Government Property (Section 196.199(1)(a), Florida Statutes)

D – State Government Property (Section 196.99(1)(b), Florida Statutes)

E – Local Government Property (Section 196.199(1)(c), Florida Statutes)

F – Leasehold Interests in Government Property (Section 196.199(2), Florida Statutes)

G – Economic Development (Section 196.1995, Florida Statutes)

H – Not-for-profit Sewer and Water Companies (Section 196.2001, Florida Statutes)

I – Blind Exemption (Section 196.202, Florida Statutes)

J – Total and Permanent Disability Exemption (Section 196.202, Florida Statutes)

K – Widow's Exemption (Section 196.202, Florida Statutes)

L – Disabled Veteran's Exemption (Section 196.24, Florida Statutes)

(n) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 195.027, 196.031, 196.075, 196.081, 196.091, 196.101, 196.175, 196.195, 196.196, 196.197, 196.1975, 196.198, 196.1985, 196.1986, 196.199, 196.1995, 196.1997, 196.1998, 196.2001, 196.202, 196.24, 213.05 FS. History--New 12-7-76, Formerly 12D-8.11, Amended 9-30-82, 12-31-98, 12-30-02, _____.

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLES: RULE NOS.:

Sale of Tax Certificates for Unpaid Taxes 12D-13.045

Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees 12D-13.060

Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale 12D-13.062

Lands Available for Taxes 12D-13.064

Disbursement of Proceeds of Sale 12D-13.065

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-13.045, F.A.C., is to implement the provisions of chapter 2003-22, L.O.F., allowing tax certificate sales to be conducted by electronic means.

The purpose of the proposed amendments to Rules 12D-13.060, 12D-13.062, 12D-13.064 and 12D-13.065, F.A.C., are to implement the provisions of chapter 2003-284, L.O.F., which increases the tax deed application fee; provides that owners of property contiguous to property on which a tax deed application has been made be notified of the pending tax deed sale; provides that the tax collector include owners of certain property that is contiguous to property on which a tax deed application has been made in the list provided to the clerk of circuit court of persons to be notified of a tax deed application and provides an exception if that owner is the current owner of the property on which a tax deed application has been made; provides that an owner of property contiguous to property which is on the list of lands available for sale be notified if the county does not elect to purchase the land from the list; provides that owners of property contiguous to property sold at a tax deed sale are not to be included in disbursement of proceeds.

SUBJECT AREA TO BE ADDRESSED: 12D-13.045 – electronic sales of tax certificates. 12D-13.060 – tax deed application fee and notification requirements and statements connected with tax deed applications. 12D-13.062 – persons required to receive notification of pending tax deed sale. 12D-13.064 – notification to persons of lands placed on the list of lands available for taxes. 12D-13.065 – exception to distribution of proceeds from tax deed sale.

SPECIFIC AUTHORITY: 195.022, 195.027(1), 213.06(1) FS.
LAW IMPLEMENTED: 125.411, 193.092, 193.102, 195.022, 194.171, 197.122, 197.3632, 197.402, 197.403, 197.432, 197.473, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05, 298.36, 298.366, 298.465, 298.54, 298.365 FS.

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

TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

PLACE: Larson Building, Room 116, 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 this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Sharon Gallops at (850)414-6108. A person who is hearing-impaired or speech-impaired should contact the Department by using the Florida Relay Service, which can be reached at (800)955-8700 (voice) and (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-13.045 Sale of Tax Certificates for Unpaid Taxes.

(1) Except as provided in Rule 12D-13.047, F.A.C., the tax collector shall sell tax certificates on all lands on which the taxes are delinquent. The tax collector may conduct the public sale by electronic means as provided in Section 197.432(16), Florida Statutes. The sale shall begin on the day and at approximately the time advertised, which shall be on or before June 1 or the sixtieth day after the date of delinquency, whichever is later. The sale shall continue from day to day or until all tax certificates are sold or struck off to the county.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 193.092, 193.102, 194.171, 197.122, 197.402, 197.403, 197.432, 213.05 FS. History—New 6-18-85, Formerly 12D-13.45, Amended 5-23-91, 12-13-92, 12-28-95, _____.

12D-13.060 Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees.

(1) through (2) No change.

(3) PROCEDURE: APPLICATION FOR TAX DEED BY PRIVATE HOLDER.

(a) The procedure for tax deed applications by anyone other than the county shall be as follows:

1. No change.

2. The tax deed applicant shall immediately pay to the tax collector the costs and fees required for making application and all amounts required for redemption or purchase of all other outstanding certificates covering the land. A tax deed application is not considered completed until all application costs and fees, including redemption fees, have been paid. It is recommended that the collector accept only cash, cashiers checks, bank drafts or money orders. The applicant shall pay a tax deed application fee of seventy five ~~fifteen~~ dollars (\$75.00).

3. No change.

(4) PROCEDURE AFTER APPLICATION IS MADE – ALL CERTIFICATES.

(a) through (b) No change.

(c) The tax collector shall also attach to the certification Form DR-513 a statement certifying the names and addresses of all persons the clerk is required by law to notify prior to the tax deed sale. (See Section 197.522, Florida Statutes.) The statement shall contain at a minimum the following names and addresses:

1. Legal titleholders of record and the owner's address as it appears on the record of conveyance; if no address is shown on the record of conveyance, the collector shall so state.

2. Lienholders who have recorded liens against the property if an address appears on the recorded lien.

3. Mortgagees of record if an address appears on the recorded mortgage.

4. Vendees of recorded contracts for deed if an address appears on the recorded contract.

5. Vendees of recorded contracts for deed if an application to receive notice has been made pursuant to Section 197.344, Florida Statutes; and their addresses.

6. Lienholders who have applied to the tax collector to receive notice if an address has been furnished to the tax collector, and their addresses.

7. Persons to whom the property was last assessed on the tax roll, and their addresses.

8. In the case of county tax deed applications, owners of tax certificates that have not been redeemed in connection with the tax deed application.

9. Any lienholder of a lien recorded with the clerk of the circuit court against a mobile home located on property described in the tax certificate and taxed as real property if an address appears on the recorded lien.

10. Any legal titleholder of record of property that is contiguous to the property described in the tax certificate, when the property described is either submerged land or common elements of a subdivision, if the address of the titleholder of contiguous property appears on the record of

conveyance of the land to that legal titleholder. However, if the legal titleholder of property contiguous to the property described in the tax certificate is the same as the person to whom the property described in the tax certificate was assessed on the tax roll for the year in which the property was last assessed, the notice may be mailed only to the address of the legal titleholder as it appears on the latest assessment roll.

(d) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05 FS. History—New 6-18-85, Formerly 12D-13.60, Amended 5-23-91, 12-13-92, 1-11-94, 12-25-96, 12-31-98, _____.

12D-13.062 Notices; Advertising, Mailing, Delivering and Posting of Notice of Tax Deed Sale.

(1) No change.

(2) Delivering and Posting.

(a) At least 30 days prior to the date of sale, the clerk shall prepare a notice containing the warnings ~~warning~~ required by Section 197.522(2)(a), Florida Statutes, for owners of the property to be sold and by Section 197.522(2)(b), Florida Statutes, for owners of contiguous property listed in the tax collector's statement pursuant to Section 197.502(4)(h), Florida Statutes; and:

1. If the owner of the property to be sold resides in the same county in which the property is located, deliver an original and sufficient copies of the notice to the sheriff of that county and

2. If the owner resides in Florida outside the county where the land is located, deliver an original and sufficient copies of the notice to the sheriff of the county in which the property is located, unless the property is assessed as non-agricultural acreage or vacant land.

3. If the owner resides outside the State of Florida, the clerk shall send notice to the sheriff of the county where the property is located, unless the property is assessed as non-agricultural acreage or vacant land.

4. For the owners of the property contiguous to the property to be sold, deliver an original and sufficient copy of the notice described in Section 197.522(2)(b), Florida Statutes to the sheriff of the county in which the contiguous property lies.

(b) through (5) No change.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 197.542, 197.562, 197.582, 213.05 FS. History—New 6-18-85, Formerly 12D-13.62, Amended 12-3-01, _____.

12D-13.064 Lands Available for Taxes.

(1) If the tax deed application was made by the county and there are no other bidders, the clerk shall enter the land on a "List of Lands Available for Taxes". If all outstanding tax sale certificates from the land were issued after July 1, 1999, the county shall then have 90 days after the land is placed on the

list to purchase the land for the opening bid. If any tax sale certificates were sold on or before July 1, 1999, the 90 days shall run from the sale date. After 90 days, any person or governmental unit may purchase the land for the opening bid. If the county does not elect to purchase the land, the county must notify each legal titleholder of property contiguous to the land available for taxes, as provided in Section 197.502(4)(h), Florida Statutes before expiration of the 90-day period. Interest on the opening bid continues to accrue through the month of sale as prescribed by Section 197.542, Florida Statutes. Where property is purchased from the list by the county or other governmental unit for its own use, omitted years' taxes may be canceled in the manner prescribed under the provisions of Section 197.447, Florida Statutes.

(2) through (3) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 125.411, 197.502, 213.05 FS. History—New 6-18-85, Formerly 12D-13.64, Amended 12-30-99, _____.

12D-13.065 Disbursement of Proceeds of Sale.

(1) through (2) No change.

(3) Any remaining funds held by the clerk shall be distributed to those persons described in Section 197.502(4), Florida Statutes, except persons listed in Section 197.502(4)(h), Florida Statutes, as their interests may appear. Therefore, the distribution scheme must observe the priorities of recordation of the liens or interests in the public records of the County. The excess funds must be used to satisfy in full to the extent possible each senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien. Any valid lien in the property is entitled to payment before any payment is made to the titleholder or record. If a judgment lien or mortgage lien is terminated by court decree or by operation of law (i.e., Ch. 95, Florida Statutes), such lien is not a valid lien and is therefore not entitled to be satisfied.

(4) The clerk shall send notices to those persons listed in Section 197.502(4), Florida Statutes, except persons listed in Section 197.502(4)(h), Florida Statutes, advising them of the funds held for their benefit. The form of the notice shall be as follows:

NOTICE

CTF NO. Description _____

Pursuant to Chapter 197, Florida Statutes, the above property was sold at public sale on _____. After payment of all funds due to government units has been made, a surplus of \$_____ will remain and be held by this office for a period of 90 days from the date of this notice for the benefit of persons having interest in and to this property as described in Section 197.502(4), Florida Statutes, as their interests may appear.

Attached hereto is a copy of the abstract of this property received from the office of the tax collector reflecting all such persons as described in Section 197.502(4), Florida Statutes, having an interest in the subject property. These funds will be used to satisfy in full, to the extent possible, each senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien. In order to be considered for distribution of these funds, you must submit a notarized statement of claim to this office, detailing the particulars of your lien, and the amounts currently due, within 90 days of the date of this notice. A copy of this notice must be attached to your statement of claim. After examination of the statements of claim filed, this office will notify you if you are entitled to any payment. Dated this ____ day of _____, ____.

Clerk

County

(5) through (10) No change.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 195.022, 197.473, 197.502, 197.522, 197.532, 197.542, 197.582, 213.05, 298.36, 298.366, 298.465, 298.54, 298.365 FS. History—New 6-18-85, Formerly 12D-13.65, Amended _____.

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 amendment to Rule 12D-16.002, F.A.C., is to implement forms revisions created in chapters 2002-226, 2003-162 and 2003-284, L.O.F., 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.

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TIME AND DATE: 10:30 a.m., Friday, August 29, 2003

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

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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) No change.		
(3)(a) No change.		
(b) DR-403AC	Revised Recapitulation of the Ad Valorem Assessment Rolls (County Values) (r. <u>1/03 4/00</u>)	____ 1/01
(4)(a) DR-403AM	Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values) (r. <u>1/03 4/00</u>)	____ 1/01
(b) through (5)(a) No change.		
(b) DR-403EB	Assessment Roll Exemption Breakdown (r. <u>1/03 4/00</u>)	____ 1/01
(6) through (7)(b) No change.		
(c) DR-405	Tangible Personal Property Tax Return (r. <u>12/03 12/00</u>)	____ 12/01
(8) No change.		
(9)(a) DR-409	Certificate of Correction of Tax Roll (r. <u>12/03 12/02</u>)	____ 1/03

(b) through (16)(a) No change.	
(b) DR-453B	Notice of Tax Lien for Assessment of Escaped Taxes (r. <u>12/03</u> n. 12/02) _____ <u>1/03</u>
(c) through (21)(a) No change.	
(b) DR-474	Notice of Proposed Property Taxes (r. <u>12/03</u> 1/02) _____ <u>12/01</u>
(c) No change.	
(d) DR-474N	Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments (r. <u>12/03</u> 01/02) _____ <u>12/01</u>
(22) through (24) No change.	
(25)(a) DR-486	Petition to Value Adjustment Board (r. <u>12/03</u> 12/96) _____ <u>12/96</u>
(b) DR-486T	Petition to Value Adjustment Board – Tangible Personal Property (r. <u>12/03</u> 2/92) _____ <u>12/94</u>
(c) through (27) No change.	
(28)(a) DR-489AC	Preliminary Recapitulation of Ad Valorem Assessment Rolls – County (r. <u>1/03</u> 4/00) _____ <u>1/01</u>
(b) DR-489AM	Preliminary Recapitulation of Ad Valorem Assessment Rolls – Municipality (r. <u>1/03</u> 4/00) _____ <u>1/01</u>
(c) DR-489EB	Assessment Roll Exemption Breakdown (r. <u>1/03</u> 4/00) _____ <u>1/01</u>
(d) through (33)(c) No change.	
(d) DR-499C	Renewal and Certification of Agricultural Classification of Lands (r. <u>12/03</u> n. 12/02) _____ <u>1/03</u>
(34) through (38)(c) No change.	
(d) DR-501SC	Sworn Statement of Adjusted Gross Income of Household and Return (r. <u>12/03</u> 12/02) _____ <u>1/03</u>
(e) DR-501PGP	<u>Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents (n. 12/03)</u> _____
(39)(a) DR-501S	Eligibility Criteria to Qualify for Property Tax Exemption (r. <u>12/03</u> 12/02) _____ <u>1/03</u>
(b) through (46)(a) No change.	
(b) DR-513	Tax Collectors Certification (r. <u>12/03</u> 12/02) _____ <u>1/03</u>

(c) through (61) No change.

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, 1-20-03, _____

DEPARTMENT OF REVENUE

Division of Ad Valorem Tax

RULE TITLE: _____ RULE NO.: _____

Adoption of Non-Ad Valorem

Assessment Roll

12D-18.005

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 12D-18.005, F.A.C., is to implement the provisions of Chapter 2003-70, L.O.F., which revises the date of public hearings held for purposes of adoption of a new non-ad valorem assessment.

SUBJECT AREA TO BE ADDRESSED: Non-ad valorem assessment adoption.

SPECIFIC AUTHORITY: 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS.

LAW IMPLEMENTED: 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS.

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PLACE: Larson Building, Room 116, 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-18.005 Adoption of Non-Ad Valorem Assessment Roll.

(1) The provisions of this rule section are applicable to non-ad valorem assessments levied for the first time.

(a) No change.

(b) For a new non-ad valorem assessment, a local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 ~~June 1~~ and September 15 if one or more of the following circumstances exist regarding the assessment:

1. It is levied for the first time;

2. It is increased beyond the maximum rate authorized by law or judicial decree at the time of its initial imposition;

3. It is related to a change in boundaries of (name of local government), unless all newly affected property owners have provided written consent for such assessment to the local governing board; or,

4. It is related to a change in purpose for an existing assessment or in the use of the revenue from such assessment.

(c) A local government may hold its public hearing and adopt or reaffirm a capital project assessment roll at any time prior to certification of the roll to the tax collector, and is not required to hold the public hearing between January 1 ~~June 1~~ and September 15. For capital project assessments, any notice or hearing required by this rule chapter may be combined with any other notice required by this rule chapter, by the general or special law, or by municipal or county ordinance, pursuant to which the capital project assessment is levied.

(2) through (4) No change.

Specific Authority 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS. Law Implemented 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS. History—New 2-21-91, Amended 4-18-94, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE TITLE:

Routine Mail

RULE NO.:

33-210.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to specify circumstances under which free postage is provided for routine mail, to clarify possession limits for postage stamps and delivery of routine mail consistent with other department rules, and to prohibit the use of padded envelopes.

SUBJECT AREA TO BE ADDRESSED: Routine Mail.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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 IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) through (15) No change.

(16) No postage or writing materials shall be provided to inmates for routine mail except as provided in this subsection ~~that~~ Postage and writing materials shall be provided to any inmate with insufficient funds for mailing one first class letter weighing one ounce or less each month to be used for mailing one first class letter weighing one ounce or less each month. Local procedures may be established to require the inmate to request the free postage and writing materials or to establish a specific day of the month for the free letters to be processed. Postage shall also be provided to any inmate with insufficient funds for the purpose of mailing a complaint to the Florida Bar concerning ineffective assistance of counsel in the inmate's criminal case. Inmates shall be permitted to receive U.S. postage stamps in their routine mail so long as the value of the stamps does not exceed the equivalent of 20 (1 oz.) first class stamps. Inmates may not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C ~~equivalent of 25 (1 oz.) first class stamps~~. Due care shall be exercised in processing mail, however, the department shall not be responsible for any postage stamps sent through the mail.

(17) through (18) No change.

(19) Inmates shall not be permitted to receive routine mail in padded envelopes.

(20) Routine mail shall be delivered to the institution or facility by the U.S. Postal Service only.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE:

Payment Methodology for Inpatient
Hospital Services

RULE NO.:

59G-6.020

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan payment methodology, effective July 1, 2003, to provide the following changes:

1. \$46,499,136 is provided for special Medicaid payments to statutory teaching hospitals, family practice teaching hospitals as defined in s. 395.805, Florida Statutes, hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education Disproportionate Share (DSH) Hospital Program shall be paid \$12,203,921 distributed in the same proportion as Graduate Medical Education DSH payments. Family practice teaching hospitals shall be paid \$2,097,794 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$12,203,921 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated or provisional trauma centers, shall be paid \$11,610,000. Of this amount, \$4,590,000 shall be distributed equally between hospitals which are a Level I trauma center; \$4,500,000 shall be distributed equally between hospitals which are either a Level II or Pediatric trauma center; and \$2,520,000 shall be distributed equally between hospitals which are both a Level II and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$8,383,500 distributed in the same proportion as the DSH payments.
2. \$15,498,938 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equals or exceeds 11 percent. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available. For those hospitals with only one year of audited DSH data, the Agency shall eliminate the inpatient reimbursement ceilings for only those hospitals with 1999 audited DSH data.
3. \$20,111,332 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6 percent, and are trauma centers. The Agency shall use the average of the 1997, 1998 and 1999 audited DSH data available as of March 1, 2003. In the event the Agency does not have the prescribed three years of audited DSH data for a hospital, the Agency will use the average of the audited DSH data for 1997, 1998 and 1999 that is available.
4. \$85,306,178 is provided to make special Medicaid payments to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. These amounts shall be paid to the following:

Hospital	2003-04 SMP
Jackson Memorial Hospital	\$3,322,365
University Medical Center – Shands	\$43,920,631
All Children’s Hospital	\$6,154,745
Shands Teaching Hospital	\$684,224
St. Mary’s Hospital	\$51,222
Miami Children’s Hospital	\$5,400,230
Tampa General Hospital	\$13,414,213
Orlando Regional Medical Center	\$3,291,219
Lee Memorial Hospital/CMS	\$950,000
Broward General Medical Center	\$330,366
Tallahassee Memorial Healthcare	\$54,402
St. Joseph’s Hospital	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola	\$450,000
Mt. Sinai Medical Center	\$7,174,654
5. \$14,884,011 is provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.
6. \$138,120,624 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty and Community Hospital Education Program hospitals.
7. \$5,430,912 is provided to make special Medicaid payments to hospitals. These payments shall be used to reimburse approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.
8. \$4,868,549 is provided to make special Medicaid payments to hospitals. These payments shall be used by the hospitals in collaboration with the Department of Health and Federally Qualified Health Centers to provide primary care services to indigent residents. The special Medicaid payments are contingent upon state funds being provided in 2003-04 General Appropriations Act, Specific Appropriation 586B.
9. \$354,468,508 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.
10. A delay in the July 1, 2003 price level increase until October 1, 2003.
11. For Disproportionate Share (DSH) hospital programs, a revision to the formula used to pay disproportionate share dollars to state mental health hospitals and public hospitals (non-state government owned or operated

hospitals with less than 3,300 Medicaid days and for non-state government owned or operated hospitals with more than 3,300 Medicaid days).

12. A provision limiting the period of time an audited cost report may be reopened.
13. Disproportionate Share (DSH) appropriations for 2003-04 will replace DSH appropriations for 2002-03.
14. Revisions to the disproportionate share (DSH) formulas to reflect the recommendations of the DSH Task Force. Senate Bill 22-A adopts the 2002-03 DSH formulas for future use and deletes prior formula language from statute.
15. The agency shall provide a preliminary estimate of the payments under the rural disproportionate share and financial assistance programs to the rural hospitals by August 31 of each state fiscal year for review. Each rural hospital shall have 30 days to review the preliminary estimates of payments and report any errors to the agency. The agency shall make any corrections deemed necessary and compute the rural disproportionate share and financial assistance program payments.
16. The distribution of regional perinatal intensive care centers (RPICC) DSH will be based on prior state fiscal year payments and not disproportionate share data.
17. The distribution of primary care DSH will be based on prior state fiscal year payments and not disproportionate share data.

The effect of the proposed amendment will be modifications to DSH formulas, special Medicaid payments to specific hospitals, and a limitation placed to reopening a cost report.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid upper payment limit (UPL), DSH formulas, and cost report limitations.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 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., September 11, 2003

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Butler, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120-B, Tallahassee, Florida 32308, (850)414-2759

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement – Social Security

RULE TITLE: 401(a) Special Pay Plan

RULE NO.: 60X-3.001

PURPOSE AND EFFECT: To determine the design of the 401(a) special pay tax shelter plan and the eligibility of participants.

SUBJECT AREA TO BE ADDRESSED: 401(a) special pay tax shelter plan for state employees.

SPECIFIC AUTHORITY: 110.2037(5) FS.

LAW IMPLEMENTED: 110.2037 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: Robert L. Henning, Division of Retirement, Cedars Executive Center, Bldg. C, 2639 N. Monroe Street, Tallahassee, FL 32399-1560, (850)413-9381

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: Definitions

RULE NOS.: 67-25.002

Notice of Program and Invitation and

Application to Participate

67-25.005

Program Documents

67-25.006

Allocation Proceeds

67-25.007

Commitment and Origination Periods

67-25.009

Interest Rate on Program Loans and

Financing Programs

67-25.015

Private Mortgage Insurance

67-25.016

Rating of Bonds

67-25.018

Appeals

67-25.019

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-25, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement the Single Family Mortgage Revenue Bond Program provisions authorized by Florida Statutes, Section 420.507(12) and identify the definitions for terms.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Single Family Mortgage Revenue Bond funds (2) ratification of universal terms, as well as, terms defined by the Florida Housing Finance Corporation and (3) to consolidate, conform and compile all of the information prescribing the policies and procedures implemented for the Single Family Mortgage Revenue Bond program outlined in Rule Chapters 67-8, 67-14 and 67-19, F.A.C., into Rule Chapter 67-25, F.A.C.

SPECIFIC AUTHORITY: 420.507(12), (23) FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509, 420.51, 215.68, 215.84 FS.

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

TIME AND DATE: 9:00 a.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Fifth Floor, Formal Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

Please note that if no interest is indicated, the workshop will not be held.

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keantha Belton, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE: Terms and Conditions of Loans **RULE NO.:** 67-43.008

PURPOSE AND EFFECT: This Rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the State Apartment Incentive Loan Hurricane Andrew Recovery and Rehabilitation Program which provides funds to public entities, private not-for-profit, or for-profit or developer proposing to build or substantially rehabilitate affordable housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: Changes to the terms and conditions of loans.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087 FS.; Chapter 93-186, Laws of Florida.

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: Gayle White, Housing Development Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

67-43.008 Terms and Conditions of Loans.

(1) through (3) No change.

(4) All loans shall be repaid from all Project income and each year, project cash flow shall be applied to pay the following items in order of priority:

(a) through (d) No change.

(e) Twelve ~~nine~~ percent Return on Equity to Sponsor.

Specific Authority 420.507 FS. Law Implemented 420.5087 FS., Chapter 93-186, Laws of Florida. History--New 1-25-94, Formerly 91-43.008, Amended _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-45.001
General Program Restrictions	67-45.003
Application Procedures	67-45.004
Terms and Conditions of Loans	67-45.005
Loan Processing	67-45.006
Fees	67-45.007

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-45, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement Home Ownership Assistance Program provisions authorized by Florida Statutes, Section 420.5088(4), F.S., and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal

terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

SPECIFIC AUTHORITY: 420.507(12), (23) FS.

LAW IMPLEMENTED: 420.507(23), 420.5088 FS.

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

TIME AND DATE: 9:00 a.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Fifth Floor, Formal Conference Room, 227 North Bronough Street, Tallahassee, FL 32301

Please note that if no interest is indicated, the workshop will not be held.

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Keantha Belton, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

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

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-51.001
Notice of Funding Availability	67-51.002
General Program Restrictions	67-51.003
Application Procedures	67-51.004
Terms and Conditions of Loans	67-51.005
Loan Processing	67-51.006
Fees	67-51.007

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-51, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement GAP Assistance Program provisions authorized by Florida Statutes, Section 420.507(41), F.S., and identify the definitions for terms when used in conjunction with the Single Family Revenue Bond Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Home Ownership Assistance Program funds and (2) ratification of universal

terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Single Family Mortgage Revenue Bond Program.

SPECIFIC AUTHORITY: 420.507(12),(23) FS.

LAW IMPLEMENTED: 420.507(51) FS.

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

TIME AND DATE: 2:00 p.m., August 29, 2003

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wallisa Cobb, Single Family Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Please note that if no interest is indicated, the workshop will not be held. Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact Edny Sanchez-Gammons, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

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 TITLE:	RULE NO.:
Definitions	3E-200.001

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to update, to July 1, 2003, dates within each rule referencing federal statutes and rules or independent self-regulatory entity rules.

SUMMARY: The proposed rule amendment will update the reference in Rule 3E-200.001, F.A.C., to 17 CFR 275.206(4)-(3) from March 1, 1999 to July 1, 2003.

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.

SPECIFIC AUTHORITY: 517.03 FS.

LAW IMPLEMENTED: 517.07, 517.12, 517.021, 517.051, 517.061, 517.081, 517.121, 517.161, 517.301 FS.