



**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NOS.:	RULE TITLES:
69W-600.001	Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser
69W-600.002	Application for Registration as Associated Person
69W-600.004	Registration of Issuer/Dealers, Principals and Branch Offices
69W-600.006	Fingerprint Requirements
69W-600.007	Changes in Name and Successor Registration Requirements
69W-600.008	Termination of Registration as Dealer, Investment Adviser, Branch Office, Principal or Agent
69W-600.009	Registration Renewals
69W-600.0091	Central Registration Depository System
69W-600.0092	Investment Adviser Registration Depository for Federal Covered Advisers
69W-600.0093	Investment Adviser Registration Depository for Investment Advisers
69W-600.014	Books and Records Requirements

**PURPOSE AND EFFECT:** The proposed rule amendments amend 11 rules regarding the registration of dealers, investment advisers, and associated persons. generally to reflect statutory changes as a result of Chapters 2013-201 and 2013-202, Laws of Florida. Chapter 2013-201, Laws of Florida, changes requirements for applicant fingerprinting from the current paper card-based system to an electronic live-scan system, and Chapter 2013-202, Laws of Florida, changes requirements for certain branch offices conducting securities transactions to notice-file with the Office of Financial Regulation (Office) rather than apply for registration. 69W-600.001 and 600.002 are proposed for amendment to update fingerprinting requirements to conform with Ch. 2013-201 and update abbreviations and acronyms in the rule. 69W-600.004 is proposed for amendment to 1) update with branch office notice filing changes to conform with Ch. 2013-202, 2) clarify that a dealer or investment adviser must be registered with the Office of Financial Regulation before its branch offices may notice file, 3) clarify that a branch office's principal must have the required qualifications to supervise such an office, 4) rename "resident agent" as "resident person-in-charge," and 5) update abbreviations and acronyms in the rule. 69W-600.006 is proposed for amendment to 1) update fingerprinting requirements to conform with Ch. 2013-201, 2) waive the requirement to submit fingerprints to the Office for owners and principals of dealers or investment advisers whose fingerprints have been processed by the Financial Industry Regulatory Authority (FINRA), and 3) update abbreviations

and acronyms in the rule. 69W-600.007, 600.008, 600.009, and 600.0091 are proposed for amendment to update with branch office notice filing changes and update abbreviations and acronyms in the rule. 69W-600.0092 is proposed for amendment to update abbreviations and acronyms in the rule. 69W-600.0093 is proposed for amendment to update with branch office notice filing changes to conform with Ch. 2013-202, 2) clarify that an investment adviser must be registered with the Office of Financial Regulation before its branch offices may notice file, and 3) update abbreviations and acronyms in the rule. 69W-600.014 is proposed for amendment to update with branch office notice filing changes to conform with Ch. 2013-202.

**SUBJECT AREA TO BE ADDRESSED:** Securities Registration – Registration of Dealers, Investment Advisers, Associated Persons.

**RULEMAKING AUTHORITY:** 215.405, 517.03, 517.12, 517.121, 517.1201, 517.1215 FS.

**LAW IMPLEMENTED:** 517.12, 517.1201, 517.1202, 517.1205, 517.121, 517.1215, 517.161, 943.053 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Kim, (850)410-9781, john.kim@flofr.com

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Securities**

RULE NO.:	RULE TITLE:
69W-1000.001	Disciplinary Guidelines

**PURPOSE AND EFFECT:** The proposed rule amendment updates the Office of Financial Regulation's (Office) disciplinary guidelines for Chapter 517, F.S., to specify sanctions for certain branch offices conducting securities transactions who fail to notice file with the Office as required under Section 517.1202, F.S., created under Chapter 2013-202, Laws of Florida. The sanctions provide for a \$10,000 fine, summary suspension of the branch office, and/or revocation. The rule is also amended to incorporate the disciplinary guidelines by reference in accordance with Section 120.54(1)(i), F.S.

**SUBJECT AREA TO BE ADDRESSED:** Securities Regulation – Disciplinary Guidelines.

RULEMAKING AUTHORITY: 517.1611(1) FS.  
 LAW IMPLEMENTED: 517.1611(1), 517.191(4), 517.221(3) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Kim, (850)410-9781, john.kim@flofr.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## Section II Proposed Rules

### DEPARTMENT OF CORRECTIONS

RULE NO.:       RULE TITLE:  
 33-601.601      Temporary Release of Inmates for Specific Purposes

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to clarify that regional directors have authority to approve or disapprove the temporary transfer of custody of any inmate housed in private facilities within their region to attend a funeral or have a deathbed visit.

**SUMMARY:** To clarify that regional directions have authority to approve or disapprove the temporary transfer of custody of inmates housed in private facilities to attend a funeral or have a deathbed visit.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to these rules, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), FS.

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

RULEMAKING AUTHORITY: 20.315, 944.09 FS.  
 LAW IMPLEMENTED: 944.09 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.601 Temporary Release of Inmates for Specific Purposes.

(1) The regional directors are the Secretary’s designees for the purpose of approving or disapproving the temporary transfer of custody of any inmate housed within their respective regions, including those housed in private facilities, to attend a funeral or have a deathbed visit.

(2) through (14) No change.

Rulemaking Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History–New 10-8-76, Formerly 33-7.03, Amended 4-25-86, 2-12-97, 11-16-97, Formerly 33-7.003, Amended 5-26-05, 2-20-13,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** James Upchurch, Assistant Secretary of Institutions

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Michael D. Crews, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 12, 2013

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** June 24, 2013

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

RULE NO.:       RULE TITLE:  
 59G-13.015      Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule

**PURPOSE AND EFFECT:** The purpose of the amendment to Rule 59G-13.015, F.A.C., is to incorporate by reference the Florida Medicaid Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule, \_\_\_\_\_. The amendment updates services and procedure codes.

**SUMMARY:** The revised fee schedule will reflect the services currently being provided and the procedure code, modifier, code description, billable unit, fee, and limits for each service.

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

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the

aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Friday, August 9, 2013, 1:30 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Caryl Jefferson at the Bureau of Medicaid Services, (850)412-4220. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Caryl Jefferson, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4220, e-mail: caryl.jefferson@ahca.myflorida.com.

Please note that a preliminary draft copy of the reference material, if available, will be posted prior to the public hearing at: <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.015 Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all providers of adult cystic fibrosis waiver services who are providers enrolled in the Florida Medicaid program.

(2) All providers of adult cystic fibrosis waiver services providers and their billing agents, who submit claims on the provider's ~~their~~ behalf, must be in compliance with the provisions of the Florida Medicaid Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule, \_\_\_\_\_ ~~March 2007, which is~~ incorporated by reference. The fee schedule is available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider

Support, and then Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Services Contact Center at 1-800-(800)-289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 9-21-11, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Caryl Jefferson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 4, 2013

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:

64B14-2.013 Special Assessment Fee

PURPOSE AND EFFECT: This rule sets assessment fee to be paid in 2006 and is no longer current.

SUMMARY: This rule is being repealed.

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

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

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

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

RULEMAKING AUTHORITY: 456.025(5), 468.802 FS.

LAW IMPLEMENTED: 456.025(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Miller, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-2.013 Special Assessment Fee.

Rulemaking Specific Authority 456.025(5), 468.802. Law Implemented 456.025(5) FS. History—New 4-10-06, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 25, 2013

### Section III Notice of Changes, Corrections and Withdrawals

NONE

### Section IV Emergency Rules

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.: 12AER13-03  
 RULE TITLE: Sales of Clothing, School Supplies, and Personal Computers During the Period August 2 through August 4, 2013

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 42, Chapter 2013-42, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the law specifying a period during which the sale of certain clothing, school supplies, and personal computers are exempt from sales and use tax. The law provides that conditions necessary for an emergency rule have been met. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the exemption during the period from 12:01 a.m., August 2, 2013, through 11:59 p.m., August 4, 2013, for sales of clothing, wallets, or

bags having a selling price of \$75 or less per item, for sales of school supplies having a selling price of \$15 or less per item, and for sales of personal computers and certain related accessories having a selling price of \$750 or less per item. The exemption does not apply to sales within a theme park or entertainment complex, as defined in Section 509.013(9), F.S., or within a public lodging establishment, as defined in Section 509.013(4), F.S., or within an airport, as defined in Section 330.27(2), F.S. The rule defines “clothing,” “school supplies,” “personal computer,” “related accessories,” “theme park or entertainment complex,” “public lodging establishment,” “airport” and “mail order sales.” The rule describes the items that are included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, items normally sold as a unit, mail order sales, shipping and handling charges, layaway sales, rain checks, exchanges, refunds, coupons, rebates, and discounts, repairs and alterations, gift certificates, rentals of clothing, reporting requirements, documentation to be maintained, and merchant’s license fees. The rule provides a list of items and their taxable status during the exemption period for clothing, school supplies, and personal computers.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 42, Chapter 2013-42, Laws of Florida, which specify a period during which the sales of certain clothing, school supplies, and personal computers are exempt from sales and use tax. Additionally, an emergency rule is the most expedient and appropriate means of notifying dealers and taxpayers of the provisions of Section 42, Chapter 2013-42, Laws of Florida.

SUMMARY: Emergency Rule 12AER13-03 notifies the general public and retailers of the exemption during the period from 12:01 a.m., August 2, 2013 through 11:59 p.m., August 4, 2013, for sales of clothing, wallets, or bags having a selling price of \$75 or less per item, for sales of school supplies having a selling price of \$15 or less per item, and for sales of personal computers and certain related accessories having a selling price of \$750 or less per item.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6777

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER13-03 Sales of Clothing, School Supplies, and Personal Computers During the Period August 2 through August 4, 2013.

(1) Clothing Sales.

(a) Beginning at 12:01 a.m. on August 2, 2013, and ending at 11:59 p.m. on August 4, 2013 (the exemption period), no tax is due on the sale or purchase of any article of clothing, wallet, or bag, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a selling price of \$75.00 or less per item. This exemption does not apply to sales of clothing, wallets, or bags within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of clothing, wallet, or bag, selling for \$75.00 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$40.00 each. Both items will qualify for the exemption, even though the customer's total purchase price (\$80.00) exceeds \$75.00.

(c)1. The exemption does not apply to the first \$75.00 of price of an eligible item of clothing, wallet, or bag selling for more than \$75.00.

2. Example: A customer purchases a pair of pants costing \$79.95. Tax is due on the entire \$79.95.

(2) Exempt Sales of School Supplies.

(a) Beginning at 12:01 a.m. on August 2, 2013, and ending at 11:59 p.m. on August 4, 2013 (the exemption period), no tax is due on the sale or purchase of any item of school supplies with a selling price of \$15.00 or less per item. This exemption does not apply to sales of school supplies within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of school supplies selling for \$15.00 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases ten composition books for \$2.50 each. All ten items will qualify for the exemption, even though the customer's total purchase price (\$25.00) exceeds \$15.00.

(c)1. The exemption does not apply to the first \$15.00 of price of an eligible item of school supplies selling for more than \$15.00.

2. Example: A customer purchases a calculator costing \$18.00. Tax is due on the entire \$18.00.

(3) Sales of Personal Computers and Certain Related Accessories.

(a) Beginning at 12:01 a.m. on August 2, 2013, and ending at 11:59 p.m. on August 4, 2013 (the exemption period), no tax is due on the sale or purchase of any personal

computer or certain related accessories for noncommercial home or personal use with a selling price of \$750.00 or less per item. This exemption does not apply to sales of school supplies within a theme park, entertainment complex, public lodging establishment, or airport. This exemption does not apply to sales of personal computers or related accessories that are billed to a business or commercial account unless the purchaser presents documentation to establish the exempt status of the sale.

(b)1. The sales tax exemption applies to each eligible personal computer or qualifying related accessory selling for \$750.00 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases a \$600.00 personal computer, a \$100.00 printer, and a \$200.00 personal computer in a single transaction. Each item will qualify for the exemption even though the customer's total purchase price (\$900.00) exceeds \$750.00.

(c)1. The exemption does not apply to the first \$750.00 of the price of an eligible personal computer or qualifying related accessory selling for more than \$750.00.

2. Example: A customer purchases a personal computer costing \$900.00. Tax is due on the entire \$900.00.

(4) Definitions.

(a) "Clothing" means any article of wearing apparel, including all footwear, except skis, swim fins, roller blades, and skates, intended to be worn on or about the human body. "Clothing" does not include watches, watchbands, jewelry, umbrellas, or handkerchiefs.

(b) "School supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue, paste, rulers, computer disks, protractors, compasses, and calculators.

(c) "Personal computer" means an electronic device that accepts information in digital or similar form and manipulates such information for a result based on a sequence of instructions. The term includes an electronic book reader, laptop, desktop, handheld, tablet, or tower computer but does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

(d) "Related accessories" includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or other peripheral devices that are designed or intended primarily for recreational use. The term

“monitor” does not include a device that includes a television tuner.

(e) “Theme park or entertainment complex” means a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of one million visitors annually.

(f)1. “Public lodging establishment” means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings, which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. License classifications of public lodging establishments, and the definitions therefor, are set out in Section 509.242, F.S. For the purpose of licensure, the term does not include condominium common elements, as defined in Section 718.103, F.S.

2. The following are excluded from the definition in subparagraph 1.:

a. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors;

b. Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Family Services or other similar place regulated under Section 381.0072, F.S.;

c. Any place renting four rental units or less, unless the rental units are advertised or held out to the public to be places that are regularly rented to transients;

d. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent;

e. Any migrant labor camp or residential migrant housing permitted by the Department of Health, under Sections 381.008-381.00895, F.S.; and

f. Any establishment inspected by the Department of Health and regulated by Chapter 513, F.S.

(g) “Airport” means an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including accessory or relative areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use.

(h) “Mail order sale” is a sale of tangible personal property, ordered by mail or other means of communication, from a dealer who receives the order in another state of the

United States, or in a commonwealth, territory, or other area under the jurisdiction of the United States, and transports the property or causes the property to be transported, whether or not by mail, from any jurisdiction of the United States, including this state, to a person in this state, including the person who ordered the property.

(5) Sales of Sets Containing Both Exempt and Taxable Items.

(a) When exempt items are normally sold together with taxable merchandise as a set or single unit, the full price is subject to sales tax.

(b) Example: A gift set consisting of a wallet and key chain is sold for a single price of \$35.00. Although the wallet would otherwise be exempt during the exemption period, the full price of the gift set is taxable, because the key chain is taxable.

(c) Example: A desk set consisting of a stapler and a pair of scissors is sold for a single price of \$9.95. Although the scissors would otherwise be exempt during the exemption period, the full price of the desk set is taxable, because the stapler is taxable.

(d) Example: A personal computer and separately packaged computer game accessory are sold for a single price of \$500.00. Although the personal computer would qualify for the exemption if sold separately during the exemption period, the separately packaged computer game accessory does not qualify for the exemption. The full price of the personal computer and game accessory is taxable, because the computer game software is taxable.

(6) Articles Normally Sold as a Unit.

(a) Articles that are normally sold as a unit must continue to be sold in that manner; they cannot be separately stated and sold as individual items in order to obtain the exemption.

(b) Example: A pair of shoes normally sells for \$80.00. The pair of shoes cannot be split in order to sell each shoe for \$40.00 to qualify for the exemption.

(c) Example: A suit is normally priced at \$125.00 on a single price tag. The suit cannot be split into separate articles so that any of the components may be sold for \$75.00 or less in order to qualify for the exemption. However, components that are normally priced as separate articles may continue to be sold as separate articles and qualify for the exemption if the price of an article is \$75.00 or less.

(d) Example: A pen and pencil set is normally priced at \$18.00 on a single price tag. The set cannot be split into separate articles so that either of the components may be sold for \$15.00 or less in order to qualify for the exemption.

(e) Example: A personal computer system including a tower, monitor, keyboard, and mouse device is packaged together and normally priced at \$800.00. The items cannot be

split into separate items so that any of the items may be sold for \$750.00 or less in order to qualify for the exemption.

(7) Buy One, Get One Free or for a Reduced Price.

(a) The total price of items advertised as “buy one, get one free,” or “buy one, get one for a reduced price,” cannot be averaged in order for both items to qualify for the exemption.

(b) Example: A retailer advertises pants as “buy one, get one free.” The first pair of pants is priced at \$80.00; the second pair of pants is free. Tax is due on \$80.00. The store cannot sell each pair of pants for \$40.00 in order for the items to qualify for the exemption. However, the retailer may advertise and sell the items for 50% off, selling each pair of \$80.00 pants for \$40.00, making each pair eligible for the exemption.

(c) Example: A retailer advertises shoes as “buy one pair at the regular price, get a second pair for half price.” The first pair of shoes is sold for \$80.00; the second pair is sold for \$40.00 (half price). Tax is due on the \$80.00 shoes, but not on the \$40.00 shoes. The store cannot sell each pair of shoes for \$60.00 in order for the items to qualify for the exemption. However, a retailer may advertise the pairs for 25% off, thereby selling each pair of \$80.00 shoes for \$60.00, making each pair eligible for the exemption.

(8) Mail Order Sales.

(a) For purposes of this exemption, eligible items purchased by mail order, including sales transactions over the Internet, will receive the exemption if the order is accepted by the mail order company during the exemption period for immediate shipment. When the acceptance of the order by the mail order company occurs during the exemption period, the exemption will apply even if delivery is made after the exemption period.

(b) An order is accepted by the mail order company when it has taken an action to fill the order for immediate shipment. Actions to fill an order include, but are not limited to, placing an “in date” stamp on a mail order, assigning an “order number” to a telephone order, or confirming an Internet order by e-mail message.

(c) An order is for immediate shipment when delayed shipment is not requested by the customer. An order is for immediate shipment notwithstanding that the shipment may be delayed because of a backlog of orders or because stock is currently unavailable to, or on back order by, the company.

(9) Shipping and Handling Charges.

(a) Shipping and handling charges are included as part of the sales price of the eligible item, whether or not separately stated. If multiple items are shipped on a single invoice, to determine if any items qualify for the exemption, the shipping and handling charge must be proportionately allocated to each item ordered, and separately identified on the invoice.

(b) Example 1: A customer orders a jacket for \$75.00. The shipping charge to deliver the jacket to the customer is \$5.00. The selling price of the jacket is \$80.00. Tax is due on the full selling price.

(c) Example 2. A customer orders a suit for \$300.00 and a shirt for \$40.00. The transportation charge to deliver the items is \$15.00. The \$15.00 transportation charge must be proportionately and separately allocated between the items:  $300 / 340 = 88\%$ ; therefore, 88% of the \$15.00 shipping charge, or \$13.20, must be allocated to the suit, and separately identified on the invoice as such. The remaining 12% of the \$15.00 shipping charge, or \$1.80, must be allocated to the shirt, and separately identified on the invoice as such. The selling price of the shirt is \$40.00 plus \$1.80, totaling \$41.80, and therefore qualifying for the exemption.

Suit	\$300.00
Shipping for suit	13.20
Shirt	40.00
Shipping for shirt	1.80

(d) Example 3. A customer orders a suit for \$300.00 and a shirt for \$70.00. The transportation charge to deliver the items is \$50.00. The \$50.00 transportation charge must be proportionately and separately allocated between the items:  $300 / 370 = 81\%$ . Therefore, 81% of the \$50.00 shipping charge, or \$40.50, must be allocated to the suit, and separately identified on the invoice as such. The remaining 19% of the \$50.00 shipping charge, or \$9.50, must be allocated to the shirt, and separately identified on the invoice as such. The selling price of the shirt is \$70.00 plus \$9.50, totaling \$79.50. Since the selling price of the shirt exceeds \$75.00, the purchase of the shirt is taxable.

Suit	\$300.00
Shipping for suit	40.50
Shirt	70.00
Shipping for shirt	9.50

(10) Layaway sales. A layaway sale is a transaction in which merchandise is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time, and receives the merchandise at the end of the payment period.

(a) For purposes of this exemption, eligible items will qualify for the exemption if:

1. a retailer and a customer enter into a contract for a layaway sale for an exempt item during the exemption period;
2. the customer makes the usual deposit in accordance with the retailer’s layaway policy;
3. the merchandise [exempt item(s)] is segregated from the retailer’s inventory; and
4. the final payment is made during or after the exemption period.



(b) If final payment on a layaway order is made and the merchandise is given to the customer during the exemption period, that sale of eligible items will qualify for the exemption, even when the qualified items were placed on layaway before the exemption period.

(11) Rain checks. Eligible items purchased during the exemption period using a rain check will qualify for the exemption regardless of when the rain check was issued. However, issuance of a rain check during the exemption period will not qualify eligible items for the exemption if the item is actually purchased after the exemption period.

(12) Exchanges.

(a) If a customer purchases an eligible item during the exemption period, then later exchanges the item for the same item (different size, different color, etc.), no additional tax will be due even if the exchange is made after the exemption period.

(b) If a customer purchases an eligible item during the exemption period, then later returns the item and receives credit on the purchase of a different item, the appropriate sales tax will apply to the sale of the newly purchased item.

(c) Examples:

1. During the exemption period, a customer purchases a \$75.00 dress that qualifies for the exemption. Later, during the exemption period, the customer exchanges the \$75.00 dress for a \$100.00 dress. Tax is due on the \$100.00 dress. The \$75.00 credit from the returned item cannot be used to reduce the sales price of the \$100.00 item to \$25.00 for exemption purposes.

2. A customer purchases a \$35.00 shirt during the exemption period. After the exemption period, the customer exchanges the shirt for a \$35.00 jacket. Since the jacket was not purchased during the exemption period, tax is due on the \$35.00 price of the jacket.

3. A customer purchases notebook filler paper for \$3.95 during the exemption period. Later during the exemption period, the customer exchanges the notebook filler paper for note pads costing the same amount. Tax is due on the note pads, because they are not eligible for the exemption.

4. During the exemption period, a customer purchases a \$700.00 personal computer that qualifies for the exemption. Later, during the exemption period, the customer exchanges the \$700.00 personal computer for a \$900.00 personal computer. Tax is due on the \$900.00 personal computer.

(13) Refunds.

(a) A customer who pays tax to a dealer on an eligible item when no tax is due must secure a refund of the tax from the dealer and not from the Department of Revenue.

(b) For the period August 2, 2013, through October 31, 2013, when a customer returns an item that would qualify for the exemption, no refund of tax shall be given unless the

customer provides a receipt or invoice showing tax was paid, or the retailer has sufficient documentation to show that tax was paid on the specific item.

(14) Coupons, Rebates, and Discounts.

(a)1. Manufacturer's coupons. Manufacturer's coupons do not reduce the sales price of an item. Therefore, a manufacturer's coupon cannot be used to reduce the selling price of an item of clothing to \$75.00 or less, a school supply item to \$15.00 or less, or a personal computer to \$750.00 or less, in order to qualify for the exemption.

2. Example: A jacket sells for \$85.00. The customer has a \$10.00 manufacturer's coupon good for the purchase of the jacket. The manufacturer's coupon does not reduce the sales price of the jacket. Tax is due on \$85.00, even though the customer only pays the retailer \$75.00 for the jacket.

(b)1. Store coupons and discounts. Store coupons and discounts reduce the sales price of an item. Therefore, a store coupon or discount can be used to reduce the sales price of an item to \$75.00 or less, a school supply item to \$15.00 or less, or a personal computer to \$750.00 or less, in order to qualify for the exemption.

2. Example: A customer buys a \$400.00 suit and a \$80.00 shirt. The retailer is offering a 10 percent discount. After applying the 10 percent discount, the final sales price of the suit is \$360.00, and the sales price of the shirt is \$72.00. The suit is taxable (its price is over \$75.00), and the shirt is exempt (its price is less than \$75.00).

(c)1. Rebates. Rebates occur after the sale and do not affect the sales price of an item purchased.

2. Example: A jacket sells for \$85.00. The customer receives a \$10.00 rebate from the manufacturer. The rebate occurs after the sale, so it does not reduce the sales price of the jacket. Tax is due on \$85.00.

(15) Repairs or Alterations to Eligible Items.

(a) Repairs to eligible items do not qualify for the exemption.

(b)1. Alterations to clothing or footwear do not qualify for the exemption, even though alterations may be sold, invoiced, and paid for at the same time as the item to be altered.

2. Example: A customer purchases a pair of pants for \$75.00 and pays \$5.00 to the retailer to have the pants cuffed. The \$75.00 charge for the pants is exempt; however, tax is due on the \$5.00 alterations charge.

(16) Gift Certificates.

(a) Eligible items purchased during the exemption period using a gift certificate will qualify for the exemption, regardless of when the gift certificate was purchased. Eligible items purchased after the exemption period using a gift certificate are taxable, even if the gift certificate was purchased during the exemption period. A gift certificate cannot be used to reduce the selling price of an item of

clothing to \$75.00 or less, or of a school supply item to \$15.00 or less, in order for the item to qualify for the exemption.

(b) Example: A customer purchases a dress priced at \$90.00 and uses a \$50.00 gift certificate. Tax is due on \$90.00. The gift certificate does not reduce the selling price to \$40.00 for purposes of the exemption.

(17) Rentals. Rentals of clothing, footwear, or personal computers and related accessories do not qualify for the exemption.

(18) Reporting. No special reporting procedures are necessary to report exempt sales made during the exemption period. Sales should be reported as currently required by law.

(19) Record Retention and Documentation. No special record keeping requirements are necessary. Records should be maintained as currently required by law.

(20) License Fees or Other Fees imposed by Panama City and Panama City Beach.

(a) The cities of Panama City and Panama City Beach impose upon retailers a Merchant's License Tax or similar gross receipts tax or fee, which may be passed on to the customer. The Merchant's License Tax is included in the sales price of each item, whether or not the tax is separately stated on the invoice.

(b) Example: A jacket sells for \$74.95. The separately stated 1% gross receipts fee for this item is \$0.75. Since the gross receipts fee is part of the sales price of the item (\$75.70), the jacket will not qualify for the exemption.

(21) List of Items of Clothing and Their Taxable Status During the Exemption Period. The following is a list of items of clothing and their taxable status during the exemption period, if they are sold for \$75.00 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- A
- T Accessories (generally)
- E Barrettes and bobby pins
- E Belt buckles
- E Bow ties
- E Hair nets, bows, clips, and bands
- E Handbags
- T Handkerchiefs
- T Jewelry
- T Key cases
- E Neckwear
- E Ponytail holders
- E Scarves
- E Ties
- E Wallets
- T Watch bands
- T Watches
- E Aerobic/Fitness clothing

- E Aprons/Clothing shields
- T Athletic gloves
- T Athletic pads
- E Athletic supporters
- B
- E Baby clothes
- E Backpacks
- E Bandanas
- E Baseball cleats
- E Bathing suits, caps, and cover-ups
- E Belt buckles
- E Belts
- T Belts for weightlifting
- E Bibs
- E Blouses
- E Book bags
- E Boots (except ski boots)
- E Bowling shoes (purchased)
- T Bowling shoes (rented)
- E Bow ties
- E \*Braces and supports worn to correct or alleviate a physical incapacity or injury
- E Bras
- T Briefcases
- C
- E Caps and hats
- T Checkbook covers (separate from wallets)
- T Chest protectors
- E \*Choir and altar clothing
- E Cleated and spiked shoes
- E \*Clerical vestments
- T Cloth and lace, knitting yarns, and other fabrics
- T Clothing repair items, such as thread, buttons, tapes, iron-on patches, zippers
- E Coats and wraps
- E Coin purses
- T Corsages and boutonnières
- T Cosmetic bags
- E Costumes
- E Coveralls
- T Crib blankets
- D
- E Diaper bags
- E Diapers, diaper inserts (adult and baby, cloth or disposable)
- T Diving suits (wet and dry)
- E Dresses
- T Duffel bags

- E
- T Elbow pads
- E Employee uniforms
  
- F
- E Fanny packs
- T Fins
- T Fishing boots (waders)
- E Fishing vests (nonflotation)
- T Football pads
- E Formal clothing (purchased)
- T Formal clothing (rented)
  
- G
- T Garment bags
- E Gloves (generally)
- T Baseball
- T Batting
- T Bicycle
- E Dress (purchased)
- E Garden
- T Golf
- T Hockey
- E Leather
- T Rubber
- T Surgical
- T Tennis
- E Work
- T Goggles (except \*prescription)
- E Graduation caps and gowns
- E Gym suits and uniforms
  
- H
- E Hair nets, bows, clips, and bands
- E Handbags and purses
- T Handkerchiefs
- T Hard hats
- E Hats
- T Helmets (bike, baseball, football, hockey, motorcycle, sports)
- E Hosiery, including support hosiery
- E Hunting vests
  
- I - J
- T Ice skates
- T In-line skates
- E Insoles
- E Jeans
- T Jewelry
  
- K
- T Key chains
- T Knee pads
  
- L
- E Lab coats
- E Leg warmers
- E Leotards and tights
- T Life jackets and vests
- E Lingerie
- T Luggage
  
- M - N
- T Make-up bags
- E Martial arts attire
- E Neckwear and ties
  
- O - P
- E Overshoes and rubber shoes
- T Pads (football, hockey, soccer, elbow, knee, shoulder)
- T Paint or dust masks
- E Pants
- E Panty hose
- T Patterns
- T Protective masks (athletic)
- E Purses
  
- R
- E Raincoats, rain hats, and ponchos
- E Receiving blankets
- E \*Religious clothing
- T Rented clothing (including uniforms, formal wear, and costumes)
- T Repair of wearing apparel
- E Robes
- T Roller blades
- T Roller skates
  
- S
- E Safety clothing
- T Safety glasses (except \*prescription)
- E Safety shoes
- E Scarves
- E Scout uniforms
- T Shaving kits/bags
- E Shawls and wraps
- T Shin guards and padding
- E Shirts
- E Shoe inserts
- E Shoes (including athletic)

- E Shoulder pads (for dresses, jackets, etc.)
- T Shoulder pads (football, hockey, sports)
- E Shorts
- T Skates (ice, in-line, roller)
- T Ski boots (snow)
- T Ski vests (water)
- E Ski suits (snow)
- T Skin diving suits
- E Skirts
- E Sleepwear, nightgowns, pajamas
- E Slippers
- E Slips
- E Socks
- T Sports helmets
- T Sports pads (football, hockey, soccer, knee, elbow, shoulder)
- E Sports uniforms (except pads, helmets)
- T Suitcases
- E Suits, slacks, and jackets
- T Sunglasses (except \*prescription)
- E Suspenders
- E Sweatbands
- E Sweaters
- T Swimming masks
- E Swim suits and trunks
  
- T
- E Ties (neckties - all)
- E Tights
- E Tuxedos (excluding rentals)
  
- U
- T Umbrellas
- E Underclothes
- E Uniforms (work, school, and athletic - excluding pads)

V - W

- E Vests
- E Vintage clothing
- E Wallets
- T Watch bands
- T Watches
- T Water ski vests
- T Weight lifting belts
- T Wet and dry diving suits
- T Wigs
- E Work clothes and uniforms

\* These items are always exempt as religious, prescription, prosthetic, or orthopedic items.

(22) List of School Supplies and Their Taxable Status During the Exemption Period. The following is a list of school supplies and their taxable status during the exemption period if they are sold for \$15.00 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- E Binders
- E Calculators
- E Cellophane (transparent) tape
- E Colored pencils
- E Compasses
- E Composition books
- E Computer disks (blank CDs only)
- T Computer paper
- E Construction paper
- T Correction tape, fluid, or pens
- E Crayons
- E Erasers
- E Folders
- E Glue (stick and liquid)
- E Highlighters
- E Legal pads
- E Lunch boxes
- E Markers
- T Masking tape
- E Notebook filler paper
- E Notebooks
- E Paste
- E Pencils, including mechanical and refills
- E Pens, including felt, ballpoint, fountain, highlighters, and refills
- E Poster board
- E Poster paper
- T Printer paper
- E Protractors
- E Rulers
- E Scissors
- T Staplers
- T Staples

(23) List of Personal Computers and Related Accessories and Their Taxable Status During the Exemption Period. The following is a list of personal computers and related accessories, and their taxable status during the exemption period if they are sold for \$750.00 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- E Batteries (designed for a computer)
- T Batteries (regular)\*\*
- E Cables for computers
- E Car adaptors for laptop computers
- T Cases for electronic devices (including electronic reader covers)
- T CDs/DVDs (music, voice, pre-recorded items)

- T Cellular telephones (including smart telephones)
- E Central processing units (CPU)
- E Compact disk drives
- E Computer for noncommercial or personal use
- E Desktop
- E Laptop
- E Tablet
- T Computer bags
- E Computer towers consisting of a central processing unit, random-access memory and a storage drive
- T Computers designed/intended for recreation (games and toys)
- T Computer paper
- T Copy machines and copier ink/toner
- E Data storage devices (excludes those devices designed for use in digital cameras or other taxable items)
- E Blank CDs
- E Diskettes
- E Flash drives
- E Jump drives
- E Memory cards
- E Portable hard drives
- E Storage drives
- E Thumb drives
- E Zip drives
- T Digital cameras
- T Digital media receivers
- E Docking stations (designed for a computer)
- E Ear buds and headphones
- E Electronic book readers
- T Fax machines – stand alone
- T Furniture
- T Game controllers (e.g., joy sticks, nunchucks)
- T Game systems and consoles
- T Games and gaming software
- E Hard Drives
- E Headphones (including “ear buds”)
- E Ink cartridges (for computers)
- E Keyboards (for computers)
- E Mice (mouse devices)
- E Microphones (built-in computers)
- E Modems
- E Monitors (except devices that include a television tuner)
- E Motherboards
- T MP3 players or accessories
- E Personal digital assistant devices (except cellular telephones)
- E Port replicators
- E Printer cartridges
- E Printers (including “all-in-one” models)

- T Projectors
- E RAM – random access memory
- T Rented computers or computer accessories
- E Routers
- E Scanners
- T Smart telephones
- E Software (nonrecreational)
- E Antivirus
- E Database
- E Educational
- E Financial
- E Word processing
- E Speakers (for computers)
- E Storage drives (for computers)
- T Surge protectors
- E Tablets
- T Tablet cases or covers
- T Televisions (including digital media receivers)
- T Video game consoles
- E Web cameras

\*\* Batteries for use in prosthetic or orthopedic appliances are always exempt from tax.

This rule shall take effect on August 2, 2013.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1), (2) FS, Section 42, Chapter 2013-42, L.O.F. Law Implemented 95.091, 212.02(16), 212.05, 212.0596, 212.06, 212.13, 213.35, 215.26(1), 330.27(2), 509.013(4), (9) FS, Chapter 2013-42, L.O.F. History–New 8-2-13.

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

EFFECTIVE DATE: August 2, 2013

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

### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201 Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District hereby gives notice: that on July 11, 2013, the Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat. (Order No. 2013-063-DAO-WU) to Mission Viejo Condominium Association, Inc., in Palm Beach County. The Petition for Variance (Petition/Application No. 130226-19) was received by the District on February 26, 2013. Notice of receipt of the Petition requesting the variance was published in

the Florida Administrative Register, Vol. 39, No. 48, on March 11, 2013. A Notice of Correction was submitted to correct the name of the Petitioner/Applicant, and was published in the Florida Administrative Register, Vol. 39, No. 109, on June 5, 2013. No public comment was received. Specifically the Order grants a Variance from subsection 40E-24.201(7), Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscape, shall be conducted on specific days. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as follows: 1) the Petitioner has demonstrated that the use of the advanced technology irrigation system on its specified property is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(7), Fla. Admin. Code; 2) the Petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting: The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406-4680, (561)682-6911 or by email to: [permits@sfwmd.gov](mailto:permits@sfwmd.gov) or by accessing the District's website: [www.sfwmd.gov](http://www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201 Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District hereby gives notice: that on July 11, 2013, the Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat. (Order No. 2013-064-DAO-WU) to 8524 Summerville Place, Orlando, FL 32819, in Orange County. The Petition for Variance (Petition/Application No. 130530-26) was received by the District on May 30, 2013. Notice of receipt of the Petition requesting the variance was published in the Florida Administrative Register, Vol. 39, No. 112, on June 10, 2013. No public comment was received. Specifically the Order grants a Variance from subsection 40E-24.201(6), Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscape shall be conducted on specific days. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as follows: 1) the Petitioner has

demonstrated that the use of the advanced technology irrigation system on its specified property is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Fla. Admin. Code; 2) the Petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406-4680, (561)682-6911 by e-mail to [permits@sfwmd.gov](mailto:permits@sfwmd.gov) or by accessing the District's website, [www.sfwmd.gov](http://www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

**DEPARTMENT OF JUVENILE JUSTICE**

Staff Training

RULE NOS.:RULE TITLES:

- 63H-1.001 Purpose and Scope
- 63H-1.002 Definitions
- 63H-1.003 Authorized Levels of Response
- 63H-1.004 Authorized Techniques
- 63H-1.005 Authorized Mechanical Restraints
- 63H-1.006 Supervision of Youth in Mechanical Restraints
- 63H-1.007 Documentation and Retention of Records
- 63H-1.008 Medical Requirements for Training
- 63H-1.009 Certification
- 63H-1.010 Cross-Over Training
- 63H-1.011 Rehired Employee Training
- 63H-1.012 Annual Training Requirement
- 63H-1.013 Testing Requirements
- 63H-1.014 Training Instructor Qualifications
- 63H-1.015 Training Instructor Certification Renewal
- 63H-1.016 Law Enforcement, County, and Municipally Operated Facilities and Partnerships

The Florida Department of Juvenile Justice hereby gives notice: that on July 12, 2013, an Order was filed on the Petition for Waiver filed by Pasco County Sheriff, Chris Nocco. The Petition was filed on May 14, 2013, and sought a waiver from Chapter 63H-1, F.A.C., which establishes Protective Action Response (PAR) as the required method of verbal and physical intervention in juvenile programs and facilities. The Notice was published in Volume 39, No. 100, of the Florida Administrative Register, on May 22, 2013. The Department's July 12, 2013, Order denied the Petition for Waiver because PAR certification is required by Section

985.645, Florida Statutes, and the Department is thus precluded from waiving statutory requirements under Section 120.542(1), F.S.

A copy of the Order or additional information may be obtained by contacting: Chakita Jenkins, Agency Clerk, 2737 Centerview Dr., Ste. 3200, Tallahassee, Florida 32399-3100.

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

Notice is hereby given that the Petition for Waiver or Variance filed by Solmaz Sahebjam, M.D., from Rule 64B8-4.009, F.A.C., has been withdrawn, upon request of the Petitioner. The Notice of Petition was published in Volume 39, No. 131, of the July 8, 2013, issue of the FAR.

The person to be contacted regarding this Petition is: Allison M. Dudley, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

**Section VI**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Marketing and Development

The Florida Department of Agriculture and Consumer Services Florida Alligator Marketing and Education Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 7, 2013, 10:00 a.m.

PLACE: Bert Harris Ag Center/IFAS Extension, 4509 George Boulevard, Sebring, FL 33875, (863)402-6540, Contact: Becca Southard

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Martin May at (850)617-7280.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: John Easley or Martin May at (850)617-7280. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: John Easley or Martin May at (850)617-7280.

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces public meetings to which all persons are invited.

**DATES AND TIMES:**

- Florida Criminal Justice Educators Association Meeting, Tuesday, August 6, 2013, 8:30 a.m.
  - Training Center Director Board Meeting, Tuesday, August 6, 2013, 1:00 p.m.
  - Training Center Director Basic Recruit Committee Meeting, Tuesday, August 6, 2013, 2:00 p.m.
  - Training Center Director Officer Wellness Committee Meeting, Tuesday, August 6, 2013, 2:00 p.m.
  - Training Center Director Advanced Training Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
  - Training Center Director Rules Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
  - Training Center Director Technology Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
  - Training Center Director Open Forum, Tuesday, August 6, 2013, 4:00 p.m.
  - Training Center Directors Association Business Meeting, Wednesday, August 7, 2013, 8:30 a.m.
  - Probable Cause Determination Hearings, Wednesday, August 7, 2013, 10:00 a.m.
  - Workshop: Introduction of the 2014 Law Enforcement Basic Recruit Training Program, Wednesday, August 7, 2013, 10:00 a.m.
  - Regional Criminal Justice Selection Center Directors Association, Wednesday, August 7, 2013, 1:00 p.m.
  - Commission Workshop: Review of Trust Fund Revenue Initiatives, Wednesday, August 7, 2013, 2:30 p.m. For individuals who are calling by telephone to participate in the workshop, please call: 1(888)670-3525, and then enter the following passcode: 8753391569, followed by the # sign.
  - Criminal Justice Standards and Training Commission Business Meeting, Thursday, August 8, 2013, 8:00 a.m.
  - Criminal Justice Standards and Training Commission Officer Discipline Hearings, Thursday, August 8, 2013, 9:30 a.m.
- PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082  
 Reservation number: 1(800)457-4653; Hotel Telephone Number: (904)285-7777  
 \$95.00 each night for single/double from Sunday, August 4, 2013 through Friday, August 9, 2013  
 Check-in: 4:00 p.m. and Check-out: 11:00 a.m.  
 CJST Commission Meeting Group; Group Code: CJSCJSA

Reservation Deadline: July 19, 2013. You may cancel your reservations 48 hours prior to your arrival date.

On-site complimentary self-parking. Valet Parking is available for a fee.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, trust fund issues, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. The Commission packet will be posted to the FDLE website by July 23, 2013.

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or email at [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us) if you have questions about the above meetings. If you have questions about the Officer Discipline Agenda, please contact Lori Morea at (850)410-8625 or email at [lorimorea@fdle.state.fl.us](mailto:lorimorea@fdle.state.fl.us). If you have questions about hotel accommodations, please contact Cheryl Taylor at (850)410-8657 or email at [cheryltaylor@fdle.state.fl.us](mailto:cheryltaylor@fdle.state.fl.us). The Commission packet can be viewed or downloaded after July 23, 2013, at: <http://www.fdle.state.fl.us/Content/getdoc/91a75023-5a74-40ef-814d-8e7e5b622d4d/CJSTC-Home-Page.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615 or email at [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Donna Hunt at (850)410-8615 or [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Florida Children and Youth Cabinet Early Learning Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: July 23, 2013, 1:30 p.m. – 4:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, Orly/Gatwick Room, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The workgroup will discuss and identify recommendations to share with the Florida Children and Youth Cabinet.

A copy of the agenda may be obtained by contacting: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Frenchie Yon, Governor's Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.myflorida.com).

**WATER MANAGEMENT DISTRICTS**

Suwannee River Water Management District

The Suwannee River Water Management District Surplus Lands Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2013, 1:30 p.m.

PLACE: District Headquarters, Live Oak, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Discussion will occur regarding the potential disposition of surplus lands.

A copy of the agenda may be obtained by contacting: Richard Rocco at (386)362-1001 or [rmr@srwmd.org](mailto:rmr@srwmd.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pennie Flickinger at (386)362-1001 or [pff@srwmd.org](mailto:pff@srwmd.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Board of Accountancy announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, August 15, 2013, 9:00 a.m., Probable Cause; Thursday, August 15, 2013, 2:00 p.m., Board



meeting; Friday, August 16, 2013, 9:00 a.m., Board meeting, until all business is concluded

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, FL 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Government Analyst II, Board of Accountancy, 240 NW 76<sup>th</sup> Drive, Suite A, Gainesville, FL 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: June Carroll. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: June Carroll.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Drugs, Devices and Cosmetics

The Drug Wholesale Distributor Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2013, 9:30 a.m.

PLACE: 1940 N. Monroe Street, Tallahassee, FL 32399 – Board Room

Please Note: Conference Call Number: 1(888)670-3525, Conference Code: 9259887749

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

General Business.

A copy of the agenda may be obtained by contacting: Division of Drugs, Devices and Cosmetics Program office at (850)717-1800 or website at: <http://www.myfloridalicense.com/dbpr/ddc/index.html> seven days prior to meeting date.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Division of Drugs, Devices and Cosmetics Program, 1940 N. Monroe Street, Tallahassee, FL 32399 or (850)717-1800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Division of Drugs, Devices and Cosmetics Program, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047 or (850)717-1800.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
Family Safety and Preservation Program

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

DATE AND TIME: August 7, 2013, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, Secretary's Large Conference Room, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The purpose of the meeting is for the Independent Living Services Advisory Council to conduct general Council business and continue their efforts for redesigning the Independent Living program and services.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Department of Children and Families, phone (850)922-0185 or email [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Cyndee Odom, Department of Children and Families, phone (850)922-0185 or email [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cyndee Odom, Department of Children and Families, phone (850)922-0185 or email [cyndee\\_odom@dcf.state.fl.us](mailto:cyndee_odom@dcf.state.fl.us).

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
Family Safety and Preservation Program

**RULE NOS.:RULE TITLES:**

65C-29.001 Definitions

65C-29.002 Reports of Child Abuse, Neglect or Abandonment

- 65C-29.003 Child Protective Investigations
- 65C-29.004 Institutional Child Protective Investigations
- 65C-29.005 Children Denied Shelter (Lockouts)
- 65C-29.006 Foster Care Referrals
- 65C-29.007 Child-on-Child Sexual Abuse
- 65C-29.008 Initial Health Care Assessment and Medical Examination of Children Alleged to be Abused, Neglect or Abandoned
- 65C-29.009 Criminal, Juvenile and Abuse/Neglect History Checks
- 65C-29.010 False Reports
- 65C-29.011 Out-of-Town Inquiries
- 65C-29.012 Transfer of Child Protective Investigations Within and Between Districts
- 65C-29.013 Reasonable Efforts to Locate
- 65C-29.014 High Risk Tracking and Review
- 65C-29.015 Pre-Arranged Private Interstate Placements Involving Drug-Exposed Newborns

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

DATE AND TIME: August 8, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Children and Families, 1317 Winewood Blvd., Building 1, Room 305, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Proposed rule moves definitions related to child protective investigations from Chapter 65C-30, F.A.C., General Child Welfare Provisions to Chapter 65C-29, F.A.C. and sets requirements for safety assessments and safety planning for immediate and long-term safety of a child.

A copy of the agenda may be obtained by contacting: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, FL 32309, (850)717-4650, [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, FL 32309, (850)717-4650, [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, FL 32309, (850)717-4650, [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us).

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services**

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

DATE AND TIME: Monday, July 29, 2013, 9:00 a.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 5, Room 202, Tallahassee, FL 32399-0700

Conference Call-in Number: 1(888)670-3525, Conference Participate Code: 3082681153#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Title: Debriefing Meeting of the Evaluators and Ranking of the Proposals for the Employment Services for Refugees and Entrants in Broward, Hillsborough and Palm Beach Counties (RFP#s SNR14K04, SNR14K05, and SNR14K06).

Description: As provided for in Sections 2.5 and 5.2 of the RFPs which were published to the Vendor Bid System (VBS) on May 22, 2013. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>. The purpose of the Debriefing Meeting of the Evaluators and Ranking of the Proposals is to receive and record all evaluation scores for the RFPs and calculate the final scores according to the evaluation methodology outlined in Section 5.2.

A copy of the agenda may be obtained by contacting: [Holly\\_Merrick@dcf.state.fl.us](mailto:Holly_Merrick@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Pamela Thornton, email: [Pamela\\_Thornton@dcf.state.fl.us](mailto:Pamela_Thornton@dcf.state.fl.us) or (850)717-4567. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [Holly\\_Merrick@dcf.state.fl.us](mailto:Holly_Merrick@dcf.state.fl.us).

**SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2013, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 North Krome Ave., Suite 102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab report, MIL report, and District Projects. A copy of the agenda may be obtained by contacting: Wendy Lobos, (305)242-1288.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Wendy Lobos, (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Morgan Levy, District Administrator, (305)242-1288.

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**Section VI**  
**Notice of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Pella Windows & Doors. The petition seeks the agency's opinion as to the applicability of Sections R301.2(2), R301.2.1.7, R612.5 & 1609.1.5, Florida Building Code (2010) as it applies to the petitioner.

Petitioner seeks clarification regarding the correct course of determination of the design pressure for Petitioner's product.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com.

April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com.

Responses, motions to intervene, or requests for a hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the petition for declaratory statement from the law office of Robert L. Buck, P.A., and Robert L. Buck, Esq. The petition seeks the agency's opinion as to the applicability of Section 627.704, F.S., as it applies to the petitioner.

The petition for a declaratory statement was received on June 26, 2013.

A copy of the Petition for Declaratory Statement may be obtained by contacting: John Ashley Peacock, Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4247, telephone number: (850)413-4150, email: ashley.peacock@myfloridacfo.com.

Motions to intervene by substantially affected persons must be filed within 21 days of this notice.

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**Section VIII**  
**Notice of Petitions and Dispositions**  
**Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

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**Section IX**  
**Notice of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

NONE

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**Section X**  
**Announcements and Objection Reports of the**  
**Joint Administrative Procedures Committee**

NONE

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**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

NONE

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**Section XII**  
**Miscellaneous**

NONE

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**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

RULES FILED BETWEEN July 8, 2013  
and July 12, 2013

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
<b>DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES</b>					<b>DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES</b>				
<b>Division of Plant Industry</b>					<b>Division of Plant Industry</b>				
5B-57.001	7/9/13	7/29/13	39/38		40E-4.054	7/10/13	*****	39/70	
5B-57.002	7/9/13	7/29/13	39/38		40E-4.091	7/10/13	*****	39/70	
5B-57.004	7/9/13	7/29/13	39/38		40E-4.101	7/10/13	*****	39/70	
5B-57.006	7/9/13	7/29/13	39/38		40E-4.201	7/10/13	*****	39/70	
5B-57.007	7/9/13	7/29/13	39/38		40E-4.205	7/10/13	*****	39/70	
5B-57.010	7/9/13	7/29/13	39/38		40E-4.301	7/10/13	*****	39/70	
5B-57.011	7/9/13	7/29/13	39/38		40E-4.302	7/10/13	*****	39/70	
5B-57.012	7/9/13	7/29/13	39/38		40E-4.303	7/10/13	*****	39/70	
<b>DEPARTMENT OF REVENUE</b>					<b>DEPARTMENT OF REVENUE</b>				
<b>Miscellaneous Tax</b>					<b>Miscellaneous Tax</b>				
12B-4.013	7/10/13	7/30/13	39/78		40E-4.305	7/10/13	*****	39/70	
12B-4.014	7/10/13	7/30/13	39/78		40E-4.321	7/10/13	*****	39/70	
12B-4.054	7/10/13	7/30/13	39/78		40E-4.331	7/10/13	*****	39/70	
<b>DEPARTMENT OF TRANSPORTATION</b>					<b>DEPARTMENT OF TRANSPORTATION</b>				
14-57.010	7/10/13	7/30/13	39/48		40E-4.341	7/10/13	*****	39/70	
14-57.012	7/10/13	7/30/13	39/48		40E-4.351	7/10/13	*****	39/70	
14-57.014	7/10/13	7/30/13	39/48		40E-4.361	7/10/13	*****	39/70	
<b>WATER MANAGEMENT DISTRICTS</b>					<b>WATER MANAGEMENT DISTRICTS</b>				
<b>South Florida Water Management District</b>					<b>South Florida Water Management District</b>				
40E-0.113	7/10/13	*****	39/70		40E-4.381	7/10/13	*****	39/70	
40E-1.602	7/10/13	*****	39/70		40E-4.451	7/10/13	*****	39/70	
40E-1.603	7/10/13	*****	39/70		40E-40.010	7/10/13	*****	39/70	
40E-1.6065	7/10/13	*****	39/70		40E-40.011	7/10/13	*****	39/70	
40E-1.607	7/10/13	*****	39/70		40E-40.021	7/10/13	*****	39/70	
40E-1.6107	7/10/13	*****	39/70		40E-40.031	7/10/13	*****	39/70	
40E-1.615	7/10/13	*****	39/70		40E-40.041	7/10/13	*****	39/70	
40E-1.659	7/10/13	*****	39/70		40E-40.042	7/10/13	*****	39/70	
40E-4.010	7/10/13	*****	39/70		40E-40.051	7/10/13	*****	39/70	
40E-4.011	7/10/13	*****	39/70		40E-40.061	7/10/13	*****	39/70	
40E-4.021	7/10/13	*****	39/70		40E-40.091	7/10/13	*****	39/70	
40E-4.041	7/10/13	*****	39/70		40E-40.101	7/10/13	*****	39/70	
40E-4.0415	7/10/13	*****	39/70		40E-40.141	7/10/13	*****	39/70	
40E-4.042	7/10/13	*****	39/70		40E-40.302	7/10/13	*****	39/70	
40E-4.051	7/10/13	*****	39/70		40E-40.321	7/10/13	*****	39/70	
40E-4.0515	7/10/13	*****	39/70		40E-40.331	7/10/13	*****	39/70	
					40E-40.341	7/10/13	*****	39/70	
					40E-40.351	7/10/13	*****	39/70	
					40E-40.381	7/10/13	*****	39/70	
					40E-40.391	7/10/13	*****	39/70	
					40E-40.407	7/10/13	*****	39/70	
					40E-41.011	7/10/13	*****	39/70	
					40E-41.043	7/10/13	*****	39/70	
					40E-41.053	7/10/13	*****	39/70	
					40E-41.063	7/10/13	*****	39/70	
					40E-41.143	7/10/13	*****	39/70	
					40E-41.160	7/10/13	*****	39/70	
					40E-41.243	7/10/13	*****	39/70	
					40E-41.260	7/10/13	*****	39/70	
					40E-41.263	7/10/13	*****	39/70	
					40E-41.333	7/10/13	*****	39/70	
					40E-41.343	7/10/13	*****	39/70	
					40E-41.363	7/10/13	*****	39/70	
					40E-400.010	7/10/13	*****	39/70	
					40E-400.021	7/10/13	*****	39/70	
					40E-400.201	7/10/13	*****	39/70	
					40E-400.211	7/10/13	*****	39/70	
					40E-400.215	7/10/13	*****	39/70	
					40E-400.315	7/10/13	*****	39/70	
					40E-400.316	7/10/13	*****	39/70	
					40E-400.417	7/10/13	*****	39/70	
					40E-400.427	7/10/13	*****	39/70	
					40E-400.431	7/10/13	*****	39/70	
					40E-400.437	7/10/13	*****	39/70	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40E-400.439	7/10/13	*****	39/70	
40E-400.443	7/10/13	*****	39/70	
40E-400.447	7/10/13	*****	39/70	
40E-400.453	7/10/13	*****	39/70	
40E-400.455	7/10/13	*****	39/70	
40E-400.457	7/10/13	*****	39/70	
40E-400.463	7/10/13	*****	39/70	
40E-400.467	7/10/13	*****	39/70	
40E-400.470	7/10/13	*****	39/70	
40E-400.475	7/10/13	*****	39/70	
40E-400.483	7/10/13	*****	39/70	
40E-400.485	7/10/13	*****	39/70	
40E-400.487	7/10/13	*****	39/70	
40E-400.495	7/10/13	*****	39/70	
40E-400.500	7/10/13	*****	39/70	

\*\*\*NOTE: Rules filed under Chapter 40E above, will become effective upon the date that amendments to Chapter 62-330 take effect.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-4.242	7/12/13	8/1/13	39/63	
62-4.244	7/12/13	8/1/13	39/63	
62-302.200	7/12/13	8/1/13	39/63	
62-302.400	7/12/13	8/1/13	39/63	
62-302.500	7/12/13	8/1/13	39/63	
62-302.530	7/12/13	8/1/13	39/63	
62-302.532	7/12/13	8/1/13	39/63	
62-302.533	7/12/13	8/1/13	39/63	
62-302.800	7/12/13	8/1/13	39/102	
62-303.300	7/12/13	8/1/13	39/63	
62-303.320	7/12/13	8/1/13	39/63	
62-303.353	7/12/13	8/1/13	39/63	
62-303.360	7/12/13	8/1/13	39/63	
62-303.370	7/12/13	8/1/13	39/63	
62-303.380	7/12/13	8/1/13	39/63	
62-303.420	7/12/13	8/1/13	39/63	
62-303.450	7/12/13	8/1/13	39/63	
62-303.460	7/12/13	8/1/13	39/63	
62-303.470	7/12/13	8/1/13	39/63	
62-303.480	7/12/13	8/1/13	39/63	
62-303.500	7/12/13	8/1/13	39/63	
62-303.720	7/12/13	8/1/13	39/63	
62-304.735	7/10/13	7/30/13	39/94	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF Health**

**Board of Osteopathic Medicine**

64B15-12.003	7/12/13	8/1/13	39/14	
64B15-12.005	7/12/13	8/1/13	39/14	
64B15-12.009	7/12/13	8/1/13	39/14	
64B15-12.010	7/12/13	8/1/13	39/14	
64B15-22.004	7/12/13	8/1/13	39/14	

**Board of Pharmacy**

64B16-26.1031	7/9/13	7/29/13	38/96	
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

65C-22.001	7/12/13	8/1/13	38/29	
65C-22.0011	7/12/13	8/1/13	38/29	
65C-22.002	7/12/13	8/1/13	38/29	
65C-22.003	7/12/13	8/1/13	38/29	
65C-22.004	7/12/13	8/1/13	38/29	
65C-22.005	7/12/13	8/1/13	38/29	
65C-22.006	7/12/13	8/1/13	38/29	
65C-22.007	7/12/13	8/1/13	38/29	
65C-22.008	7/12/13	8/1/13	38/29	
65C-22.009	7/12/13	8/1/13	38/29	
65C-22.010	7/12/13	8/1/13	38/29	

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Strategic Business Development**

73A-4.001	7/10/13	7/30/13	39/65	
73A-4.002	7/10/13	7/30/13	39/65	

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO CHAPTER 2010-279, LAWS OF FLORIDA**

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

64J-2.006	7/12/13	*****	39/29	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

69L-7.020	10/24/11	*****	37/24	37/3
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