

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-10.02413     Civic Literacy Competency

PURPOSE AND EFFECT: To identify an additional assessment that college students can use to satisfy civic literacy as required by s.1007.25(4), F.S. General education courses; common prerequisites; other degree requirements. The effect of the proposed amendment is to add the U.S. Citizenship and Immigration Services Naturalization Test – Civics (U.S. history and government) with supplemental questions, also known as the Florida Civic Literacy Test, as an option by which students can demonstrate civic literacy competency. This amendment aligns the rule with the Board of Governors regulation 8.006 and presents a low-cost option for students. Additionally, the amendment will specify that high school students who pass the Florida Civic Literacy Test during the 2019-20 school year as part of the civic literacy exam pilot will have demonstrated postsecondary civic literacy competency at Florida College System institutions.

SUBJECT AREA TO BE ADDRESSED: Civic literacy competency in the Florida College System.

RULEMAKING AUTHORITY: 1001.02(1), 1007.25(4), FS.

LAW IMPLEMENTED: 1007.25, FS.

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

DATE AND TIME: March 27, 2020, 2:00-3:00 p.m.

PLACE:               Go                       to                       webinar:  
<https://attendee.gotowebinar.com/register/1072577296762292492>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Carrie Henderson, Executive Vice Chancellor, Carrie.Henderson@fldoe.org or (850)245-0407. To comment on this rule development workshop, please contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org or go to <https://web02.fldoe.org/rules>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Draft rule language will be available at <https://web02.fldoe.org/rules> on March 25, 2020.

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.:       RULE TITLE:

69O-171.010     Insurer Assignment Agreement Reporting –  
 Calendar Year Experience

PURPOSE AND EFFECT: Chapter 2019-57, Laws of Florida, created section 627.7152, F.S., which requires the Financial Services Commission to file a description of the program on a form and requires insurers to submit certain information to the Office.

SUBJECT AREA TO BE ADDRESSED: Property & Casualty Insurers.

RULEMAKING AUTHORITY: 624.308(1), 624.424(1)(c), 627.7152(12) FS.

LAW IMPLEMENTED: 627.307(1), 624.424, 627.7152, 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: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Library and Information Services**

RULE NO.:       RULE TITLE:

1B-24.003       Records Retention Scheduling and  
 Disposition

PURPOSE AND EFFECT: Revision to General Records Schedule GS1-SL for State and Local Government Agencies; General Records Schedule GS4 for Public Hospitals, Health Care Facilities and Medical Providers; General Records Schedule GS8 for Fire Departments; and General Records Schedule GS14 for Public Utilities.

SUMMARY: Revise General Records Schedules GS1-SL, GS4, GS8, and GS 14.

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 completion of a checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses.

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: 119.021(2)(a), 257.35(7), 257.36 FS.

LAW IMPLEMENTED: 119.021(2)(b)-(d), 257.35, 257.36 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: Carlos A. Rey, carlos.rey@dos.myflorida.com, 500 S. Bronough St., Tallahassee, FL 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-24.003 Records Retention Scheduling and Disposition.

(1) The Division issues General Records Schedules which establish minimum retention requirements for record series common to all agencies or specified types of agencies based on the legal, fiscal, administrative, and historical value of those record series to the agencies and to the State of Florida. The General Records Schedules established by the Division, which can be obtained at <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>, are incorporated by reference:

(a) General Records Schedule GS1-SL for State and Local Government Agencies (XXXX <http://www.flrules.org/Gateway/reference.asp?No=Ref-08488>, eff. xx/xx 08/17).

(b) General Records Schedule GS2 for Law Enforcement, Correctional Facilities, and District Medical Examiners (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08489>, eff. 08/17).

(c) General Records Schedule GS3 for Election Records (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05000>, eff. 2/19/15).

(d) General Records Schedule GS4 for Public Hospitals, Health Care Facilities and Medical Providers (XXXX

<https://www.flrules.org/Gateway/reference.asp?No=Ref-05001>, eff. xx/xx 2/19/15).

(e) General Records Schedule GS5 for Public Universities and Colleges (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05002>, eff. 2/19/15).

(f) General Records Schedule GS7 for Public Schools Pre-K-12 and Adult and Career Education (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10357>, eff. 2/21/19).

(g) General Records Schedule for Fire Departments (Schedule GS8) (XXXX <https://www.flrules.org/Gateway/reference.asp?No=Ref-05004>, eff. xx/xx 2/19/15).

(h) General Records Schedule GS9 for State Attorneys (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05005>, eff. 2/19/15).

(i) General Records Schedule GS11 for Clerks of Court (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05006>, eff. 2/19/15).

(j) General Records Schedule GS12 for Property (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05007>, eff. 2/19/15).

(k) General Records Schedule GS13 for Tax Collectors (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10358>, eff. 2/21/19).

(l) General Records Schedule GS14 for Public Utilities (XXXX <https://www.flrules.org/Gateway/reference.asp?No=Ref-10359>, eff. xx/xx 2/21/19).

(m) General Records Schedule GS15 for Public Libraries (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05010>, eff. 2/19/15).

(2) through (12) No change.

Rulemaking Authority 119.021(2)(a), 257.35(7), 257.36 FS. Law Implemented 119.021(2)(b)-(d), 257.35, 257.36 FS. History--New 2-20-01, Amended 1-18-09, 2-19-15, 7-27-17, 4-21-19, xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Laurel M. Lee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

03/05/20

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

10-28-2019

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: RULE TITLE:

6D-12.003 Campus Police Department

PURPOSE AND EFFECT: The purpose of this rule is to amend and to update the campus police policy manual, consistently

with section 1002.36(8)(f), F.S., which establishes a policy manual, which includes without limitation, procedures for managing routine law enforcement situations and emergency law enforcement situations for the Florida School for the Deaf and the Blind.

SUMMARY: Establishes the authority for appointment, employment, and removal of campus police in accordance with the State Career Service System; and establish in writing a police policy manual.

**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:** 1002.36(4)(c) and 1002.36(8)(f), FS.

**LAW IMPLEMENTED:** 1002.36(4)(e)10. and 1002.36(8), FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jerry Chandlee, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2315, Email: chandleer@fsdbk12.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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jerry Chandlee, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2315, Email: chandleer@fsdbk12.org.

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

6D-12.003 Campus Police Department.

(1) through (5) No change.

(6) Manual. The Board of Trustees shall establish and enforce a police policy manual as mandated by section 1002.36(8)(f), F.S., which will be entitled the “Florida School for the Deaf and the Blind Campus Police Manual,” which shall

include procedures for managing routine law enforcement and emergency law enforcement situations. The current police policy manual, effective August 21, 2015, [to be determined], is incorporated by reference herein, and is available at [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-06965~~], and includes the following forms: Statement of Acknowledgment FSDB Campus Police SOP Manual (SOP 1.01), effective August 21, 2015, incorporated by reference, available on the internet at [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07040~~]; Oath of Office (SOP 3.01), effective August 21, 2015, incorporated by reference, available on the internet at [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07041~~]; and Use of Force Incident Report (SOP 7.01), effective August 21, 2015, incorporated by reference, available on the internet at [~~http://www.flrules.org/Gateway/reference.asp?No=Ref-07042~~]. [ to be filled in].

Rulemaking Authority 1002.36(8)(f) FS. Law Implemented 1002.36 FS. History–New 6-28-16; \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Jerry Chandlee

**NAME OF AGENCY HEAD WHO APPROVED THE**

**PROPOSED RULE:** Board of Trustees Florida School for the Deaf and the Blind

**DATE PROPOSED RULE APPROVED BY AGENCY**

**HEAD:** February 28, 2020

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT**

**PUBLISHED IN FAR:** March 29, 2019

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

**RULE NOS.:** RULE TITLES:

61D-5.001 Occupational Licensure

61D-5.003 Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting

61D-5.004 Temporary Occupational Licenses

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to update licensure application forms and rule language with the goals of streamlining the occupational licensing process, clarifying all requirements for the same, and providing applicants and licensees additional notice regarding how to challenge FBI criminal history records.

**SUMMARY:** Occupational Licensing and Applications for Pari-Mutuel Wagering.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted 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: 550.0251(3), 550.105(2)(b), (6), (10)(a), 551.107(2)(b), 849.086(6), FS.

LAW IMPLEMENTED: 550.0251, 550.105, 551.107, 849.086(6), 559.79, 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: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-5.001 Occupational Licensure.

(1) The permitholder shall provide to the division the weekly payroll without compensation amounts for verification that all persons working at a permitholder's facility are licensed.

(2) Every initial application and renewal thereafter for a Professional Occupational License or a General Occupational License shall include the following:

(a) A complete Form DBPR PMW-3120, Individual Occupational License Application, effective (Month Year), incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037. Any person desiring an initial occupational license pursuant to Section 550.105, F.S., shall file with the division a completed Form DBPR PMW 3120, Individual Occupational License Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00565>, or Form DBPR PMW 3130, Business Occupational License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00567>, effective 9-11-11, adopted herein by reference, and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.

(b) A complete set of fingerprints and the fingerprint fee:

1. A complete set of fingerprints must be submitted to the division either on an FD-258 fingerprint card or via a livescan device. Each applicant sending fingerprints via a livescan device must provide the Florida Department of Law Enforcement (FDLE) approved livescan service provider the correct Originating Agency Identifier (ORI) number, which is FL920630Z, in order for the division to receive his or her fingerprint results. Applicants timely renewing their license, whose fingerprints have been retained by FDLE, shall not be required to submit a complete set of fingerprints.

2. For each set of fingerprints submitted via livescan device, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the livescan service provider. For each set of fingerprints submitted on an FD-258 fingerprint card or retained by FDLE, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the division.

Any person desiring to renew an occupational license pursuant to Section 550.105, F.S., shall file with the division a completed Form DBPR PMW 3125, Individual Occupational License Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00566>, or Form DBPR PMW 3135, Business Occupational License Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00568>, effective 9-11-11, adopted herein by reference, and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.

(c) Either the Professional Occupational License fee of \$80 for a three year license or the General Occupational License fee of \$15 for a three year license. Applicants shall also include payment of the license fee as follows:

1. \$120 for a Business Occupational License;
2. \$80 for a Professional Occupational License; or
3. \$15 for a General Occupational License.

(3) Every initial application and renewal thereafter for a Pari-Mutuel Business Occupational License shall include the following:

(a) A completed Form DBPR PMW-3130, Business Occupational License Application, effective (Month Year), incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which can be obtained at

www.myfloridalicense.com/dbpr/pari-mutuel-wagering/ or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

(b) The Business Occupational License fee of \$120 for a three year license.

(c) All of the following individuals associated with an applicant for a Business Occupational License hold a valid Professional Occupational License issued by the division:

1. Officers,
2. Directors,
3. Managers, and
4. Shareholders and/or equity holders holding 10 percent or more interest in the business.

(4) No application for a Business Occupational License shall be granted by the division unless each of the individuals requiring licensure pursuant to subsection (3)(c) above have been verified by the division to hold valid Professional Occupational Licenses issued by the division.

(5) A business applicant shall be subject to denial of its initial or renewal application as outlined in Section 550.105, F.S., based on the disqualifying criminal convictions, civil judgments or discipline history in Florida or other racing jurisdictions of the business entity or the individuals associated with the business, identified in subsection (3)(c) above.

(6)(3) All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error.

(7)(4) Pari-mutuel occupational licenses issued and renewed pursuant to Section 550.105, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an aApplications for an initial pari-mutuel occupational license or for renewal of a pari-mutuel occupational license shall be submitted between May 1st and June 30<sup>th</sup> shall have an effective date of for the license period beginning July 1st of the next state fiscal year. A license granted pursuant to an aApplications received outside of this period shall have an effective date beginning July 1st of the state fiscal year in which the application was received.

(8)(5) Any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial from the Division Director. A request for a waiver shall be made on Form DBPR PMW-3180, Request for Waiver, effective 9-11-11, incorporated adopted herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00570>, and can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> ~~www.myfloridalicense.com/dbpr/pmw~~ or by contacting the Department of Business and Professional

Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

(9) During the three year term of a valid occupational license issued by the division, an individual or business may need another type of occupational license for any reason, such as a change in employment, a change in job duties, or a change in the services and products offered or provided. From the date an occupational license is granted until May 1st of the year in which the license expires, a licensee may request to upgrade the valid occupational license they hold to another occupational license type to which the division allows an upgrade.

(a) A licensee may request the division to upgrade their existing license as follows:

1. A Pari-Mutuel General Occupational Licensee may upgrade their license to a Pari-Mutuel Professional Occupational License or a Slot/Cardroom/Pari-Mutuel Combination Occupational License;

2. A Pari-Mutuel Professional Occupational Licensee may upgrade their license to a Slot/Cardroom/Pari-Mutuel Combination Occupational License; or

3. A Pari-Mutuel Business Occupational Licensee may upgrade their license to a Slot Business Occupational License.

(b) In order to request an upgrade of the valid occupational license held by an individual or business, the licensee must submit the following to the division:

1. A request to upgrade the existing license on Form DBPR PMW-3450, License Upgrade Application, incorporated by reference in Rule 61D-14.005, F.A.C.

2. The difference in the license fee, if any, between the licensee's existing license and the license type to which the licensee is requesting an upgrade, as follows:

a. A Pari-Mutuel General Occupational Licensee must pay \$65.00 to upgrade to a Pari-Mutuel Professional Occupational License.

b. A Pari-Mutuel General Occupational Licensee must pay \$85.00 to upgrade to a Slot/Cardroom/Pari-Mutuel Combination Occupational License.

c. A Pari-Mutuel Professional Occupational Licensee must pay \$20.00 to upgrade to a Slot/Cardroom/Pari-Mutuel Combination Occupational License.

d. A Pari-Mutuel Business Occupational Licensee must pay \$1,880.00 to upgrade to a Slot Business Occupational License.

3. If the individual licensee is upgrading to a Slot/Cardroom/Pari-Mutuel Combination Occupational License, he or she must also submit Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, incorporated by reference in Rule 61D-14.005, F.A.C.

4. If the business licensee is upgrading to a Slot Business Occupational License, the business shall also submit Form DBPR PMW-3420, Slot Machine Business Entity Occupational

License Application, incorporated by reference in Rule 61D-14.006, F.A.C.

(c) All upgrade applicants, except for applicants requesting to upgrade a Pari-Mutuel General Occupational License to a Pari-Mutuel Professional Occupational License, shall provide the division with the fingerprint resubmission fee established by FDLE and the Federal Bureau of Investigation. An application for a license upgrade shall be granted or denied according to the specific licensure requirements of the license for which an upgrade applicant has applied pursuant to Chapter 550, 551 and/or Section 849.086, F.S., and pursuant to the licensing requirements of Section 120.60, F.S.

(d) A license issued by the division pursuant to a license upgrade request shall have the following effect:

1. The license held by the applicant prior to the license upgrade request shall no longer be effective and shall be deemed void on the date the division grants the upgraded license.

2. The license to which the applicant requested to upgrade shall be valid on the date the division grants the license and shall expire on the same expiration date as the license from which the applicant upgraded.

~~(6) A request to upgrade a pari-mutuel occupational license shall be made on Form DBPR PMW 3170, License Upgrade Application, effective 9-11-11, adopted herein by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-00569>, and can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.~~

(10) A license application shall lapse and no longer be processed by the division if the applicant fails to provide the division with a complete application within 120 days of a notice issued by the division pursuant to Section 120.60(1), F.S. A person with a lapsed license application shall not be eligible to participate in activities that require an occupational license. An applicant seeking a pari-mutuel occupational license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required in subsections (2), (3), or (9) above.

(11) Any person or business entity whose occupational license has expired and who seeks a subsequent occupational license:

(a) Within one year of the expiration of the license shall be considered an applicant for renewal of that license;

(b) Longer than one year after expiration of the license shall be considered an initial applicant for an occupational license.

~~(12)(7)~~ License application forms and fingerprint cards produced by and submitted through the Association of Racing

Commissioners International (ARCI) or the National Racing Compact (NRC) under the Federal Pari-Mutuel Licensing Act of 1988 will be accepted by the division.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(3), 550.105(2)(b), (10)(a), 551.107(2)(b), 849.086(6)(f) FS. Law Implemented 550.0251, 550.105, 551.107, 559.79, 849.086(6) FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 9-11-11, \_\_\_\_\_.

~~61D-5.003 Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting.~~

The following occupations or groups of persons are exempt from the fingerprint requirements of Section 550.105, F.S.:

(1) Any person applying for a pari-mutuel occupational license who has applied for and been granted a ~~an~~ pari-mutuel occupational license by the division in the previous three state fiscal years;

(2) A sworn law enforcement or corrections officer certified pursuant to Section 943.1395, F.S., who provides the division evidence of current certification from the Florida Criminal Justice Standards and Training Commission and is working in a security or safety position;

(3) An applicant who has been granted a diplomatic status by the United States Government;

(4) Any person whose fingerprints have been deemed “unclassifiable” twice by the Federal Bureau of Investigations; and.

~~(5) An applicant who is 70 years of age or older and instead submits \$24 for a background information records check through the Florida Department of Law Enforcement; and,~~

~~(5)(6) An applicant who is under 18 years of age.~~

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(3), 550.105(2)(b), (10)(a) FS. Law Implemented 550.105 FS. History—New 10-20-96, Amended 4-12-06, 9-11-11, 8-10-15, \_\_\_\_\_.

Substantial rewording of Rule 61D-5.004 follows. See Florida Administrative Code for present text.

61D-5.004 Temporary Occupational Licenses.

(1) The division shall issue a temporary occupational license within 30 days of receipt of the application submitted pursuant to Rule 61D-5.001, F.A.C., when the following conditions are met:

(a) The applicant has submitted a completed Form DBPR PMW-3120 or Form DBPR PMW-3130, as incorporated by reference in Rule 61D-5.001, F.A.C., and has paid all applicable licensing and fingerprint fees;

(b) The applicant is in good standing, not under suspension, has not had a license revoked, has not been denied a license, and has not been declared ineligible for licensure in Florida or any other racing or gaming jurisdiction;

(c) The applicant has not been convicted of or had adjudication withheld on any disqualifying criminal offense listed in Section 550.105(5), F.S.:

(d) The division has not issued the applicant’s occupational license; and

(e) If the applicant has previously applied to the division for a license, the applicant’s most recent application prior to the current application for licensure did not lapse pursuant to Rule 61D-5.001, F.A.C.

(2) A temporary license can be obtained by the horse owner’s licensed trainer, or by the greyhound owner’s licensed kennel operator or trainer on behalf of a greyhound owner, horse owner, stable, or kennel. The division shall issue this temporary occupational license when the following conditions are met:

(a) The applicant has submitted a completed Form DBPR PMW-3110, Animal Owner Temporary License Application, effective (Month Year), incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037;

(b) The applicant has submitted payment of all applicable licensing and fingerprinting fees;

(c) The greyhound owner, horse owner, stable, or kennel for which the application is submitted is in good standing, not under suspension, has not had a license revoked, has not been denied a license, and has not been declared ineligible for licensure in Florida or any other racing or gaming jurisdiction;

(d) The greyhound owner, horse owner, stable, or kennel has not been convicted of or had adjudication withheld on any disqualifying criminal offense listed in Section 550.105(5), F.S.;

(e) The greyhound owner, horse owner, stable, or kennel for which the application is submitted has not been issued an occupational license by the division; and

(f) If the greyhound owner, horse owner, stable, or kennel for which the application is submitted has previously applied to the division for a license, the applicant’s most recent application prior to the current application for licensure did not lapse pursuant to Rule 61D-5.001, F.A.C.

(3) All temporary licenses issued by the division are subject to the same requirements of Chapter 550, F.S., and Chapter 61D-5, F.A.C., as pari-mutuel occupational licenses.

(4) The granting of a temporary license is conditioned on the honesty of an applicant in his, her or its application. If the division determines the applicant falsely swore to a material statement in the application relating to the applicant’s criminal history or suspension, unpaid fines, revocation or denial in

Florida or another gaming or racing jurisdiction, the division may revoke a temporary license.

(5) A holder of a temporary individual pari-mutuel occupational license shall cease all activity requiring the possession of a pari-mutuel occupational license if the division denies the application for permanent licensure.

(6) An applicant who is not eligible for a temporary license is not prevented from applying for an occupational license referenced in Rule 61D-5.001, F.A.C.

(7) All temporary licenses issued by the division shall be immediately surrendered if the division grants the applicant a permanent license.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(3), 550.105(2)(b), (6) FS. Law Implemented 550.0251, 550.105 FS. History–New 10-20-96, Amended 12-15-97, 4-12-06, 9-11-11,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2019

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-11.001	Definitions
61D-11.008	Cardroom Business Occupational License
61D-11.009	Cardroom Employee Occupational License and Pari-Mutuel/Cardroom Combination License

61D-11.0101 Temporary Cardroom Occupational License

PURPOSE AND EFFECT: The purpose of this rule amendment is to update licensure application forms and rule language with the goals of streamlining the cardroom occupational licensing process, clarifying all requirements for the same, and providing applicants and licensees additional notice regarding how to challenge FBI criminal history records.

SUMMARY: Cardroom Occupational License Applications.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted 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: 550.0251, 550.105(2)(b),(10)(a), 551.107(2)(b), FS.

LAW IMPLEMENTED: 551.103(1), 551.104(4), (10), 551.1045, 551.106(1), 551.107, 551.108, 551.118, 559.79, 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: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

THE FULL TEXT OF THE PROPOSED RULE IS

61D-11.001 Definitions.

(1) "Activity related to cardroom operations" or "cardroom activity" means:

(a) ~~Includes any and all activities related to the operation of the cardroom, including activities that require a person to come in contact with or work within the cardroom gaming area, All aspects of cardroom management, all aspects of record keeping, all aspects of administration, all aspects of supervision, all aspects of cardroom play, and all activities that support card playing or games of dominoes; and the cardroom operation in any way, unless such activity is specifically excluded from this definition.~~

(b) The collection, counting and exchange of bets and revenue associated with card playing or games of dominoes. ~~Does not include the following:~~

1. ~~Incidental transit through the cardroom gaming area during which time the individual in no way:~~

a. ~~Comes into contact with cardroom furnishings, table tops, patrons or patrons' property, lockboxes or similar secured items, surveillance equipment or associated support equipment, surrounding structure for any incidental duty that enables in any way unrestricted access to the above listed items, or~~

b. ~~Takes part in, officiates, or observes cardroom activity.~~

2. ~~Incidental maintenance work performed under the direct and constant visual supervision of an individual possessing a~~

~~current cardroom or pari mutuel/cardroom combination license, or~~

3. ~~Food service employees who perform duties that do not at any time require the employee's presence within the cardroom area.~~

4. ~~Promotional support employees who participate in a limited event but do not:~~

a. ~~Influence the operations of the cardroom, or~~

b. ~~Come in contact with money, chips, cards, or dominoes held by the house or other participants in the tournament, or~~

c. ~~Work in the cardroom for more than 10 days per event and not more than two events in a state fiscal year.~~

~~Such promotional support employees are not prohibited from participating as players in a tournament.~~

(2) through (40) No change.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 1-7-97, Amended 5-9-04, 9-7-08, 7-21-14, 1-2-18, \_\_\_\_\_.

61D-11.008 Cardroom Business Occupational License.

(1) As part of the initial application or renewal for a cardroom business occupational license provided in Section 849.086, F.S., an applicant shall submit the following:

(a) ~~To apply for an initial cardroom business license, A~~ complete Form DBPR PMW-3130, Business Occupational License Application, ~~incorporated adopted~~ by reference in Rule 61D-5.001, F.A.C., ~~which can be obtained at www.myfloridalicense.com/dbpr/pmw, or by contacting the Department of Business and Professional Regulation at 2601 Blair Stone Road, Tallahassee, FL 32399 1035.~~

(b) ~~To renew a cardroom business license, a complete Form DBPR PMW 3135, Business Occupational License Renewal Application, adopted by reference in Rule 61D 5.001, F.A.C., which can be obtained at www.myfloridalicense.com/dbpr/pmw, or by contacting the Department of Business and Professional Regulation at 2601 Blair Stone Road, Tallahassee, Florida 32399 1035;~~

(b)(e) ~~The \$500.00 licensing fee for a three-year license, ; and;~~

(c)(d) A complete set of fingerprints and the fingerprint fee for each officer, director and manager. Also, a complete set of fingerprints and the fingerprint fee for each shareholder and/or equity holder holding 10 percent or more interest in the business. The complete set of fingerprints and the fingerprint fee submitted must comply with the following: A complete set of fingerprints for each officer, director, and shareholder holding 10 percent or more interest in the cardroom business on an applicant fingerprint card or via a live scan device, and the fingerprint processing fees as established by the Florida Department of Law Enforcement and the Federal Bureau of



~~Investigation, upon initial application, and every three years thereafter.~~

1. Each set of fingerprints must be submitted to the division either on an FD-258 fingerprint card or via a livescan device. Each applicant sending fingerprints via a livescan device must provide the Florida Department of Law Enforcement (FDLE) approved livescan service provider the correct Originating Agency Identifier (ORI) number, which is FL920630Z, in order for the division to receive his or her fingerprint results. Applicants timely renewing their license, whose fingerprints have been retained by FDLE, shall not be required to submit a complete set of fingerprints.

2. For each set of fingerprints submitted via livescan device, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the livescan service provider. For each set of fingerprints submitted on an FD-258 fingerprint card or retained by FDLE, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the division.

(d) All individuals identified in subsection (1)(c) above shall complete a Form DBPR PMW-3140, Disclosure for Individuals Related to a Business, effective (Month Year), incorporated \_\_\_\_\_ herein \_\_\_\_\_ by \_\_\_\_\_ reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

(2) A Cardroom Business Occupational License applicant is subject to denial of its initial or renewal application as outlined in Sections 550.105 and 849.086, F.S., based on the disqualifying criminal convictions, civil judgments or discipline history in Florida or other racing jurisdictions of the business entity or the individuals associated with the applicant identified in subsection (1)(c). A business applicant who is subject to denial of its business application may seek a waiver from the Division Director. A request for waiver of any disqualifying factors in an application that would otherwise be grounds for denial of a license application shall be made on Form DBPR PMW-3180, Request for Waiver, incorporated by reference in Rule 61D-5.001, F.A.C.

(3) All individuals associated with an applicant for a Cardroom Business Occupational License who require access to the cardroom shall be required to hold a valid Cardroom Employee Occupational License issued by the division. Individuals who hold a valid Cardroom Employee Occupational License issued by the division shall not be required to provide a form DBPR PMW-3140 or resubmit fingerprints as part of an

initial or renewal application for a Cardroom Business Occupational License.

~~(4)(2)~~ A business entity may not be issued or possess a cardroom business occupational license in this state if the corporation, partnership, or business entity, or applicant for or holder of the business entity license has been convicted of a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to a government agency, racing or gaming official in this state or any other state or under the laws of the United States; or a felony or misdemeanor set forth in Section 550.105, F.S.

~~(5)(3)~~ Sworn Florida Law Enforcement officers are exempt from the fingerprint requirement in subsection (1)(c) above.

~~(6)(4)~~ Cardroom Business Occupational Licenses issued and renewed pursuant to Section 849.086, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an aApplications for a cardroom business occupational license ~~shall be submitted between May 1st and June 30th shall have an effective date of for the license period beginning~~ July 1st of the next state fiscal year. A license granted pursuant to an aApplications received outside of this period shall have an effective date beginning July 1st of the same state fiscal year in which the application was received.

(7) All licensing and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error or the applicant withdraws the application before processing begins.

(8) During the three year term of a valid occupational license issued by the division, a business may require another type of occupational license for any reason, such as a change in the goods and services the business provides or offers. From the date an occupational license is granted until May 1 of the year in which the license expires, a licensee may request to upgrade the valid occupational license they hold to another occupational license type to which the division allows an upgrade.

(a) A Cardroom Business Occupational Licensee may request to upgrade their existing license to a Slot Business Occupational License.

(b) In order to request an upgrade of the valid occupational license held by a business the licensee must submit the following to the division:

1. A request to update the existing occupational license on Form DBPR PMW-3450, License Upgrade Application, incorporated by reference in Rule 61D-14.005, F.A.C.

2. The difference in the license fee, if any, between the occupational license held by the licensee and the license type to which the licensee is requesting to upgrade. A Cardroom Business Occupational Licensee must pay the \$1,500.00

difference to upgrade their license to a Slot Business Occupational License.

3. Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, incorporated by reference in Rule 61D-14.006 F.A.C.

(c) All upgrade applicants shall provide the division with the fingerprint resubmission fee established by FDLE and the Federal Bureau of Investigation. An application for a license upgrade shall be granted or denied according to the specific licensure requirements of the license for which an applicant has applied to upgrade pursuant to Chapters 550, 551 and/or Section 849.086, F.S., and pursuant to the licensing requirements of Section 120.60, F.S.

(d) A license issued by the division pursuant a license upgrade request shall have the following effect:

1. The license held by the applicant prior to the license upgrade request shall no longer be effective and shall be deemed void on the date the division grants the upgraded license.

2. The license to which the applicant requested to upgrade shall be valid on the date the division grants the license and shall expire on the same date as the license from which the applicant upgraded expired.

(9) A license application shall lapse and no longer be processed by the division, if the applicant fails to provide the division with a complete application within 120 days of a notice issued by the division pursuant to Section 120.60(1), F.S. A person with a lapsed license application shall not be eligible to participate in activities that require an occupational license. An applicant seeking a cardroom occupational license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required in subsections (1) or (8) above.

(10) Any business whose occupational license has expired and who seeks a subsequent occupational license:

(a) Within one year of the expiration of the license, shall be considered an applicant for renewal of that license.

(b) Longer than one year after expiration of the license shall be considered an initial applicant for an occupational license.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(12), 550.105(2)(b), ~~(10)(a), 551.107(2)(b), 849.086(4)(a), (6)(d), (f), FS. Law Implemented 550.0251, 550.105, 551.107, 559.79, 849.086(6), FS. History—New 1-7-97, Amended 5-9-04, 4-12-06, 9-7-08, 7-21-14, \_\_\_\_\_.~~

~~61D-11.009 Cardroom Employee Occupational License and Pari Mutuel/Cardroom Combination License.~~

~~(1) Food service personnel, maintenance personnel, security personnel, mutuels teller personnel, and permitholder management who possess a current pari mutuel license and~~

~~who wish to conduct any activity related to cardroom operations or conduct cardroom activities within the cardroom area for any purpose shall notify the division by completing and submitting Form DBPR PMW 3170, License Upgrade Application, adopted by reference in Rule 61D 5.001, F.A.C., which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw), or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399. Upon receipt, the division shall provide a new copy of the licensee's current license to the licensee, indicating the license is sufficient for both the pari mutuel and cardroom operations.~~

~~(1)(2) A person employed or otherwise working in a cardroom as a cardroom manager, floor supervisor, brush, chip counter, sorter, poker room host/hostess, surveillance operator, cashier, dealer, or any other activity related to cardroom operations while the facility is conducting card playing or games of dominoes must Food service personnel, maintenance personnel, security personnel, mutuels teller personnel, and permitholder management who do not possess a current pari mutuel license and who wish to conduct any activity related to cardroom operations or conduct cardroom activities within the cardroom area for any purpose shall apply for or renew a cardroom occupational license by completing and submitting the following:~~

~~(a) A complete Form DBPR PMW-3120, Individual Occupational License Application, incorporated adopted by reference in Rule 61D-5.001, F.A.C., which can be obtained at [www.dbpr.state.fl.us/pari-mutuel-wagering/](http://www.dbpr.state.fl.us/pari-mutuel-wagering/) [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw), or by contacting the Department of Business and Professional Regulation at 2601 Blair Stone Road, Tallahassee, Florida 32399 1035.~~

~~(b) A complete set of fingerprints and the fingerprint fee:~~

~~1. Each set of fingerprints must be submitted to the division either on an FD-258 fingerprint card or via a livescan device. Each applicant sending fingerprints via a livescan device must provide the Florida Department of Law Enforcement (FDLE) approved livescan service provider the correct Originating Agency Identifier (ORI) number, which is FL920630Z, in order for the division to receive his or her fingerprint results. Applicants timely renewing their license, whose fingerprints have been retained by FDLE, shall not be required to submit a complete set of fingerprints.~~

~~2. For each set of fingerprints submitted via livescan device, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the livescan service provider as part of the initial or renewal application. For each set of fingerprints submitted on an FD-258 fingerprint card or retained by FDLE, the appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the division.~~

~~A complete set of fingerprints on an applicant fingerprint card or via a live scan device, and the fingerprint processing fee as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, upon initial application and every three years thereafter;~~

(c) The cardroom employee occupational license fee, ~~unless qualified pursuant to Sections 205.171 and 1.01, F.S., of:~~

~~1. \$100.00 \$120.00 for a three-year cardroom employee occupational license,;~~

~~2. \$80.00 for a three-year pari-mutuel/cardroom supervisor combination license, or~~

~~3. \$15.00 for a three-year pari-mutuel/cardroom employee combination license.~~

~~(2)(3) Sworn Florida Law Enforcement officers are exempt from the fingerprint requirement of subsection (1)(b) above.~~

~~(3)(4) All occupational and fingerprint fees are nonrefundable, except in situations where the applicant was charged in error or the applicant withdraws the application before processing begins.~~

~~(4)(5) Request for waiver of any disqualifying factors in an application that would otherwise be grounds for denial of disapproving the license application shall be made on Form DBPR PMW-3180, Request for Waiver, incorporated adopted by reference in Rule 61D-5.001, F.A.C., which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw), or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.~~

~~(5)(6) Cardroom Employee Occupational Licenses and pari-mutuel/cardroom combination licenses issued and renewed pursuant to Section 849.086, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an aApplications for a an initial Cardroom Employee Occupational License and pari-mutuel/cardroom combination license shall be submitted between May 1st and June 30th shall have an effective date of for the license period beginning July 1st of the next state fiscal year. A license granted pursuant to an aApplications received outside of this period shall have an effective date beginning July 1st of the same state fiscal year in which the application was received.~~

~~(6) Food service, maintenance, and security employees with a valid pari-mutuel occupational license who do not perform any activity related to cardroom operations will not be required to hold a Cardroom Employee Occupational License.~~

~~(7) A manger or supervisor identified in Rule 61D-11.009(1), F.A.C., may be required to hold a Pari-Mutuel Professional Occupational License pursuant to Section 550.105, F.S., and a Cardroom Employee Occupational License~~

pursuant to section 849.086(6), F.S. These individuals may seek both licenses by submitting only the items required in subsection (1) of this rule and identifying that they intend to seek both licenses on Form DBPR PMW-3120, Individual Occupational License Application, incorporated by reference in Rule 61D-5.001, F.A.C. If the division grants the application for licensure, it shall issue both a Pari-Mutuel Professional Occupational License and a Cardroom Employee Occupational License to the applicant.

~~(8)(7) All cardroom employee occupational licensees shall wear their photo identification, issued pursuant to subsection 61D-11.012(9), F.A.C., while on duty. A cardroom employee shall not attempt to hide his or her photo identification from any patron or from surveillance cameras.~~

~~(9)(8) Cardroom occupational licensees shall may have the option to only wear a facility issued employee photo identification card if the employee has the Cardroom Employee Occupational License on their person at all times.~~

~~(10) During the three year term of a valid occupational license issued by the division, an individual may need another type of occupational license for any reason, such as a change in his or her employment or job duties. From the date an occupational license is granted until May 1 of the year in which the license expires, a licensee may request to upgrade the valid occupational license they hold to another occupational license type to which the division allows an upgrade.~~

~~(a) A holder of Cardroom Employee Occupational License may request to upgrade their existing license to a Slot/Cardroom/Pari-Mutuel Combination Occupational License.~~

~~(b) In order to request an upgrade of the valid occupational license held by an individual or business the licensee must submit the following to the division:~~

~~1. A request to upgrade the existing occupational license on Form DBPR PMW-3450, License Upgrade Application, incorporated by reference in Rule 61D-14.005, F.A.C.~~

~~2. The difference in the license fee, if any, between the occupational license held by the licensee and the license type to which the licensee is requesting to upgrade. A Cardroom Employee Occupational Licensee shall pay no fee to upgrade to a Slot/Cardroom/Pari-Mutuel Combination Occupational License.~~

~~3. Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, incorporated by reference in Rule 61D-14.005, F.A.C.~~

~~(c) All upgrade applicants shall provide the division with the fingerprint resubmission fee established by FDLE and the Federal Bureau of Investigation. An application for a license~~

upgrade shall be granted or denied according to the specific licensure requirements of the license for which an applicant has applied to upgrade pursuant to Chapters 550, 551 and/or Section 849.086, F.S., and pursuant to the licensing requirements of Section 120.60, F.S.

(d) A license issued by the division pursuant to a license upgrade request shall have the following effect:

1. The license held by the applicant prior to the license upgrade request shall no longer be effective and shall be deemed void on the date the division grants the upgraded license.

2. The license to which the applicant requested to upgrade shall be valid on the date the division grants the license and shall expire on the same date as the license from which the applicant upgraded expired.

(11) A license application shall lapse and no longer be processed by the division, if the applicant fails to provide the division with a complete application within 120 days of a notice issued by the division pursuant to Section 120.60(1), F.S. A person with a lapsed license application shall not be eligible to participate in activities that require an occupational license. An applicant seeking a cardroom occupational license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required in subsections (1) or (10) above.

(12) Any person whose occupational license has expired and who seeks a subsequent occupational license:

(a) Within one year of the expiration of the license shall be considered an applicant for renewal of that license;

(b) Longer than one year after expiration of the license shall be considered an initial applicant for an occupational license.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(12), 550.105(2)(b), (10)(a), 551.107(2)(b), 849.086(4)(a), (6)(d), (f), FS. Law Implemented 550.0251, 550.105, 551.107, 559.79, 849.086(6), FS. History—New 1-7-97, Amended 5-9-04, 3-4-07, 9-7-08, 7-21-14, 1-2-18,\_\_\_\_\_.

#### 61D-11.0101 Temporary Cardroom Occupational License.

(1) The division shall issue a temporary occupational license within 30 days of receipt of the application submitted pursuant to Rule 61D-11.008 or Rule 61D-11.009, F.A.C., when the following conditions are met:

(a) The applicant has submitted a completed Form DBPR PMW-3120 or Form DBPR PMW-3130, incorporated by reference in Rule 61D-5.001, F.A.C., and has paid all applicable licensing and fingerprint fees;

(b) The applicant is in good standing, not under suspension, has not had a license revoked and has not been denied a license

or declared ineligible for licensure in Florida or any other racing or gaming jurisdiction;

(c) The applicant has not been convicted of or had adjudication withheld on any disqualifying criminal offense listed in Section 550.105(5) and/or Chapter 849.086(6), F.S.;

(d) The division has not issued the applicant's occupational license; and

(e) If the applicant has previously applied to the division for a license, the applicant's most recent application prior to the current application for licensure did not lapse pursuant to Rule 61D-11.008 or Rule 61D-11.009, F.A.C.

(2) All temporary licenses issued by the division are subject to the same provisions of Section 849.086, F.S. and Chapter 61D-11, F.A.C., as cardroom occupational licenses.

(3) The granting of a temporary license is conditioned on the honesty of an applicant in his, her or its application. If the division determines the applicant falsely swore to a material statement in the application relating to the applicant's criminal history or suspension, unpaid fines, revocation or denial in Florida or another gaming or racing jurisdiction, the division may revoke a temporary license.

(4) A holder of a temporary individual cardroom occupational license shall cease all activity requiring the possession of a slot machine occupational license if the division issues its intent to deny or denies the application.

(5) An applicant who is not eligible for a temporary license is not prevented from applying for an occupational license referenced in Rules 61D-11.008 and 61D-11.009, F.A.C.

(6) All temporary licenses issued by the division shall be immediately surrendered if the division grants the applicant a permanent license.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(12), 849.086(4), (6), FS. Law Implemented 849.086, FS. History—New \_\_\_\_\_.

#### NAME OF PERSON ORIGINATING PROPOSED RULE:

Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

#### NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2019

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-14.002	Application Requirements
61D-14.005	Occupational License Requirements for Individual Persons
61D-14.0055	Temporary Slot Machine Occupational License
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.008	Occupational License Renewal Application
61D-14.009	Denial Criteria for Occupational License Application or Renewal
61D-14.010	Identification of the Occupational License Applicant
61D-14.011	Occupational License and Fingerprint Fees
61D-14.012	Change of Position, Place of Work, Name, or Address

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to update licensure application forms and rule language with the goals of streamlining the licensing process, clarifying all requirements for the same, and providing applicants and licensees additional notice regarding how to challenge FBI criminal history records.

**SUMMARY:** Slot Machine Licensing  
**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted 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:** 550.0251(1), 550.105(2)(b),(10)(a), 551.103(1), 551.107(2)(b), 551.1045, 551.122, 849.086(4)(a),(6)(d)(f), F.S.

**LAW IMPLEMENTED:** 550.0251, 550.105, 551.103(1), 551.104(4), (10), 551.1045, 551.106(1), 551.107, 551.108, 551.118, 559.79, 849.086(6), F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-14.002 Application Requirements.

(1) Each application for a slot machine license shall:

(a) Be filed by a pari-mutuel wagering permitholder;

(b) Be filed on Form DBPR PMW-3400, Permitholder Application for Annual Slot Machine License, effective May 2017, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08244>, and can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> ~~www.myfloridalicense.com/dbpr/pmw~~ or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1037 ~~4035~~;

(c) Include the full name of the applicant;

(d) Include a list of all ownership interests of five percent or greater and;

1. If the applicant is a corporation, provide the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity, or

2. If the applicant is a business entity other than a corporation, provide the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity; -

(e) Include the names and addresses of the ultimate equitable owners for a corporation or other business entity, if different from those provided under subsection paragraph (d) above, unless:

1. The securities of the corporation or entity are registered pursuant to Section 12 of the Securities Exchange Act of 1934, 15 United States Code Sections 78a-78kk, ; and;

2. The corporation or entity files the reports required by Section 13 of the Act with the United States Securities and Exchange Commission, or the securities of the corporation or entity are regularly traded on an established securities market in the United States; ;

(f) Include the names and addresses of any mortgagee of the applicant's pari-mutuel facility and information on any financial agreement between the parties including the names and addresses of:

1. The officers and directors of the mortgagee,

2. The stockholders in the mortgagee who hold more than five percent of the stock, and

3. The equitable owners under ~~subsection paragraph~~ (e) ~~above, if applicable, and the mortgagee is a publicly traded company;~~

(g) Provide for each individual listed in the application as an owner, partner, officer, or director:

1. A complete set of ~~each owner, partner, officer, or director's~~ fingerprints that ~~are~~ must be submitted electronically to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI) for state and national criminal history record checks. All sets of fingerprints must be submitted by a livescan live scan vendor or service provider that has been approved by FDLE to electronically submit criminal history requests. If the set of fingerprints are taken on a physical fingerprint card FD-258, it must be scanned and submitted by a FDLE-approved livescan live scan vendor or service provider. The complete set of fingerprints and payment of the fingerprint fee must comply with the following:

a. Each owner, partner, officer, or director required to be reported pursuant to this section must provide the livescan service provider the correct Originating Agency Identifier (ORI) number, which is FL923230Z, in order for the division to receive his or her fingerprint results, listed on the Division of Pari Mutuel Wagering's licensing portal website to the live scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application;

b. The cost of fingerprint processing shall be paid by the applicant directly to the FDLE-approved ~~vendor~~ or livescan service provider; ~~and,~~

2. Form DBPR PMW-3140, DBPR PMW 3460, Disclosure for Individuals Related to a Business, Authorization for Release of Information, effective 6-21-10, incorporated herein by reference in Rule 61D-11.008, F.A.C., and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, authorizing the division and FDLE to obtain any record held by a financial or public institution.

(h) through (k) No change.

(l) Include a complete Form DBPR PMW-3470, Surety Bond for Florida Slot Machine Licensee, effective (Month Year), ~~6-21-10,~~ incorporated herein by reference, https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX, and which can be obtained at http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/ www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-~~1037~~ 4035. This form provides proof of a bond, in the amount of at least 2 million dollars (\$2,000,000.00) payable to the Governor of the State of Florida and his or her successors in office. The bond required by this section must:

1. through 4. No change.

5. Provide that the surety may reserve the right to withdraw from the bond, except the surety may not withdraw as to any liability already incurred or accrued during the period of the bond, and may do so only upon giving written notice of the withdrawal to the Director of the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-~~1037~~ 4035. The bond must further provide that any approved withdrawal shall not be effective until sixty (60) days have elapsed after the division's acknowledgement of the notice,

6. through 7. No change.

(m) through (r) No change.

(2) The applicant for a slot machine license shall file its application under oath.

(3) If the applicant for a slot machine license is a business entity, the application shall be filed under oath by an officer, director or manager who is authorized by the applicant business entity to bind the applicant to the representations made in the license application. The officer, director or manager signing the application of a business entity shall affirm under oath that he or she is authorized to sign on behalf of the business entity applying for the slot machine license.

(4) The applicant for a slot machine license shall indicate:

(a) through (b) No change.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (f), (g), 551.104(4), (10), 551.106(1), 551.107(7), 551.118, 559.79(2) FS. History—New 6-25-06, Amended 6-21-10, 5-30-17, \_\_\_\_\_.

61D-14.005 Occupational License Requirements for Individual Persons.

(1) The following slot machine occupational license requirements apply to individual persons having access to the designated slot machine area or who may be granted access to the slot machine area by reason of the positions they hold:

(a) Slot Machine Professional Individual Occupational License – Individuals meeting any of the following criteria must shall apply for a Slot Machine Professional Individual Occupational License. ~~An individual seeking a license as an employee of a slot machine facility who:~~

1. An employee of a slot machine facility who will be a security or supervisory employee who requires access to the slot gaming floor of a slot machine facility, or a surveillance employee,

2. An employee of a slot machine facility who will have access to the interior of a slot machine, a slot machine's revenue, or accounting and reporting records associated with slot machine revenue, ~~or~~

3. An employee of a slot machine facility who holds a position as the head of a department referenced in Rule 61D-

14.015, F.A.C., or a supervisor of employees of the slot machine licensee, or -

4. An employee of any person or entity providing slot machine related services as referenced in Section 551.107(2)(a)3., F.S., to a slot machine licensee, who may be granted access to slot machine areas of a slot machine licensee due to his or her employment.

(b) Slot Machine General Individual Occupational License – An individual seeking a license as an employee of a slot machine facility with no management or supervisory authority related to the slot machine licensee’s facility or employees not covered in subsection paragraph (1)(a) above, must shall apply for a Slot Machine General Individual Occupational License; and,

(c) Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License –An individual required to hold a Slot Machine Professional or General Individual Occupational License who also needs access to pari-mutuel areas and/or holds a position that requires a Cardroom Employee Occupational License must apply for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicants seeking a combination occupational license shall be subject to the eligibility and licensure requirements stated in Chapters 61D-5, 61D-11, 61D-14 F.A.C. and Chapters 550 and 551 and Section 849.086, F.S. Business Employee Occupational License—An individual seeking a license as an employee of any person or entity providing slot machine related services as referenced in Section 551.107(2)(a)3., F.S., to a slot machine licensee, who may be granted access to slot machine areas of a slot machine licensee due to their employment, shall apply for a business employee occupational license.

(2) As part of the initial application for or renewal of a slot machine occupational license provided in Section 551.107, F.S., an applicant shall submit the following information on Form DBPR PMW 3410, Slot Machine Individual Occupational License Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03157>, or Form DBPR PMW 3415, Slot Machine Individual Occupational License Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03158>, both of which are effective 9-26-13 and incorporated herein by reference. The forms can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.

(a) Name, including any prior names, aliases, maiden name or nicknames;

(b) Date of birth;

(c) Current physical and mailing address, a mailing address alone shall not be sufficient unless it is also the applicant’s physical address;

(d) Social security number;

(e) Telephone number of current place of employment and home;

(f) The applicant’s marital status and the name, date of birth, race, and gender of the applicant’s spouse, children, siblings, grandchildren, the applicant’s parents and any other relative over the age of 21 living in the same household as the applicant;

(g) Disclosure of other jurisdictions in which the applicant holds, has held, or is applying for a gaming license including:-

1. Any license, permit or registry required in order to participate in any legal gaming operation; and,

2. Any denial, suspension or revocation of a license, permit or certification issued by any governmental agency.

(h) Information regarding any administrative, civil or criminal proceedings, or any investigations known to the applicant that have been initiated by any governmental agency or any other state or federal agency regarding the applicant in that jurisdiction, or any judgment entered as the result of any such proceeding to include:

1. The date of any listed action,

2. A copy of any complaint filed in the above actions; and,

3. A copy of any final orders, judgments, or other final judicial disposition in the above actions.

(2)(3) Every applicant for a slot machine or combination occupational license pursuant to subsections paragraphs (1)(a) or (c) above, shall disclose in his or her application:

(a) through (b) No change.

(c) An employment history including:

1. All gaming related employment,

2. Any non-gaming employment for the previous ten years; and,

3. Any period of unemployment in excess of one month in the previous ten years.

(d) Education and training experience in management or gaming; and,

(e) A Form DBPR PMW 3460, Authorization for Release of Information, incorporated by reference in Rule 61D-14.002, F.A.C., signed by the individual.

(3)(4) Every initial application and renewal thereafter for a slot machine or combination occupational license must shall include:

(a) A duly completed original Form DBPR PMW-3410, Slot Machine Individual Occupational License Application, effective (Month Year), incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The form can also be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee,

~~Florida 32399-1037, incorporated by reference in subsection (2) above, in accordance with subsection (3);~~

(b) No change.

(c) A complete set of the applicant's fingerprints submitted electronically to FDLE and FBI for state and national criminal history record checks. All sets of fingerprints must be submitted by a ~~livescan live scan vendor or~~ service provider that has been approved by FDLE to electronically submit criminal history requests. If the set of fingerprints are taken on a physical fingerprint card FD-258, it must be scanned and submitted by a FDLE-approved ~~livescan live scan vendor or~~ service provider. Applicants timely renewing their license, whose fingerprints have been retained by FDLE, shall not be required to submit a complete set of fingerprints. The complete set of fingerprints and payment of the fingerprint fee must comply with the following:

1. Each applicant sending fingerprints via a livescan device must provide the ~~livescan service provider~~ the correct Originating Agency Identifier (ORI) number, which is ~~FL923230Z, in order for the division to receive his or her fingerprint results listed on the Division of Pari-Mutuel Wagering's licensing portal website to the live scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application;~~

2. The ~~appropriate cost of~~ fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant directly to the FDLE-approved ~~livescan vendor or~~ service provider or, if fingerprints are submitted to the division on a fingerprint card FD-258 or are retained by FDLE, shall be paid by the applicant directly to the division; and,

(d) The slot machine occupational license fees, ~~are to be~~ paid as provided in Rule 61D-14.011, F.A.C.

~~(4)(5)~~ In the event the division determines that the licensee has applied for multiple positions that have been determined as incompatible functions as set forth in the internal controls of the employing slot machine licensee under subsection 61D-14.015(4), F.A.C., the licensee shall be informed in writing and allowed to amend the application to select the position of his or her preference.

~~(5)(6)~~ If the applicant for or holder of an occupational license intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law, for any part of its application or information provided therein, it shall identify, in its application or by written notice to the division, the specific information for which it claims an exemption and the basis for the exemption.

~~(6)(7)~~ Each application shall be filed with the division's office located at the slot machine licensee's facility or to the division at Department of Business and Professional

Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

(7) Slot machine and combination occupational licenses issued pursuant to Section 551.107, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an application for a slot machine or combination occupational license submitted between April 1st and June 30th shall have an effective date beginning July 1st of the following state fiscal year. A license granted pursuant to an application received outside of this period shall have an effective date beginning July 1st of the same state fiscal year in which the application was received.

(8) During the three year term of a valid occupational license issued by the division, an individual may need another type of occupational license for any reason, such as a change in his or her employment or job duties. From the date an occupational license is granted until April 1 of the year in which the license expires, a licensee may request to upgrade the valid occupational license they hold to another occupational license type to which the division allows an upgrade.

(a) A licensee may request the division to upgrade their existing license as follows:

1. A Slot Machine General Individual Occupational Licensee may upgrade to a Slot Machine Professional Individual Occupational License or a Slot/ Cardroom/ Pari-Mutuel Combination Occupational License.

2. A Slot Machine Professional Individual Occupational Licensee may upgrade to a Slot/ Cardroom/ Pari-Mutuel Combination Occupational License.

(b) In order to request an upgrade of the valid occupational license held by an individual the licensee must submit the following to the division:

1. A request to upgrade the existing occupational license on Form DBPR PMW-3450, License Upgrade Application, effective (Month Year), incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

2. The difference in the license fee, if any, between the occupational license held by the licensee and the license type to which the licensee is requesting to upgrade. The difference in license fees that must be paid are as follows:

a. A Slot Machine General Occupational Licensee must pay no fee to upgrade to a Slot Machine Professional Occupational License.

b. A Slot Machine General Occupational Licensee must pay no fee to upgrade to a Slot/ Cardroom/ Pari-Mutuel Combination Occupational License.



c. A Slot Machine Professional Occupational Licensee must pay no fee to upgrade to a Slot/ Cardroom/ Pari-Mutuel Combination Occupational License.

(c) All upgrade applicants, except for applicants requesting to upgrade a Slot Machine General Occupational License to a Slot Machine Professional Occupational License, shall provide the division with the fingerprint resubmission fee established by FDLE and the Federal Bureau of Investigation. An application for a license upgrade shall be granted or denied according to the specific licensure requirements of the license for which an applicant has applied to upgrade pursuant to Chapters 550, 551, and/or Section 849.086, F.S., and pursuant to the licensing requirements of Section 120.60, F.S. The appropriate fingerprint processing fee, as established by FDLE and the Federal Bureau of Investigation, shall be paid by the applicant to the division as part of an application for upgrade.

(d) A license issued by the division pursuant a license upgrade request shall have the following effect:

1. The license held by the applicant prior to the license upgrade request shall no longer be effective and shall be deemed void on the date the division grants the upgraded license.

2. The license to which the applicant requested to upgrade shall be valid on the date the division grants the license and shall expire on the same date as the license from which the applicant upgraded expired.

A request to upgrade an individual slot machine occupational license shall be made on Form DBPR PMW 3450, Slot Machine Occupational License Upgrade Application, effective May 2017, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref 08245>, which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035.

(9) A license application shall lapse and no longer be processed by the division, if the applicant fails to provide the division with a complete application within 120 days of a notice issued by the division pursuant to Section 120.60(1), F.S. A person with a lapsed license application shall not be eligible to participate in activities that require an occupational license. An applicant seeking a slot machine or combination license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required in subsection (3) or (8) above.

(10) An applicant for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, who is subject to denial pursuant to Section 849.086(6)(g), F.S., may request a waiver by submitting Form DBPR PMW-3180, Request for Waiver, incorporated by reference in Rule 61D-5.001, F.A.C., which can be obtained at [www.dbpr.state.fl.us/pari-mutuel-](http://www.dbpr.state.fl.us/pari-mutuel-)

wagering/, or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 550.0251(12), 550.105(2)(b), (10)(a), 551.103(1), 551.107(2)(b), 551.122, 849.086(4)(a), (6)(d), (f), FS. Law Implemented 550.0251, 550.105, 551.103(1)(b), 551.107(4)(a), 551.107(7), 551.108, 559.79(2), 849.086(6), FS. History--New 6-25-06, Amended 12-6-06, 6-21-10, 9-26-13, 5-30-17, \_\_\_\_\_.

61D-14.0055 Temporary Slot Machine Occupational License.

(1) The division shall issue a temporary slot machine occupational license ~~when the following conditions are met~~ within 30 days of receipt of the application submitted pursuant to subsections 61D-14.005(2) and 61D-14.006(2), F.A.C., ~~when the following conditions are met:~~

(a) ~~The applicant has submitted a completed Form DBPR PMW-3410, Slot Machine Employee Occupational License Application incorporated by reference in Rule 61D-14.005, F.A.C., or Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, incorporated by reference in Rule 61D-14.006, F.A.C., and has paid all applicable licensing and fingerprint fees~~ The applicant has submitted a complete license application;

(b) The applicant has not been convicted of or had adjudication withheld on any disqualifying criminal offense listed in Section 551.107(6), F.S.; ~~and;~~

(c) The division has not issued the applicant's ~~permanent~~ occupational license;

(d) If the applicant has previously applied to the division for a license, the applicant's most recent application prior to the current application for licensure did not lapse pursuant to Rule 61D-14.005, F.A.C.; and

(e) The applicant is in good standing, not under suspension, has not had a license revoked and has not been denied a license or declared ineligible in Florida or any other racing or gaming jurisdiction;

~~(2) The 30-day requirement of subsection (1) shall be tolled when the division issues a letter notifying the applicant of errors or omissions in the license application pursuant to Section 120.60(1), F.S.~~

~~(2)(3) All temporary licenses issued by the division are subject to the same terms and conditions of Chapter 551, F.S. and Chapter 61D-14, F.A.C., as other occupational are permanent licenses, and shall be immediately surrendered if the division:~~

~~(a) Grants the applicant a permanent license;~~

~~(b) Denies the applicant a permanent license, or~~

~~(c) Finds the applicant in violation of Chapter 551, F.S., or Chapter 61D-14, F.A.C.;~~

(3) ~~The granting of a temporary license is conditioned on the honesty of an applicant in his, her or its application. If the division determines the applicant falsely swore to a material statement in the application relating to the applicant’s criminal history or suspension, unpaid fines, revocation or denial in Florida or another gaming or racing jurisdiction, the division may revoke a temporary license.~~

(4) ~~An applicant who is not eligible for a temporary license is not prevented from applying for an occupational license referenced in Rules 61D-14.005 and 61D-14.006, F.A.C. A holder of a temporary individual slot machine occupational license shall cease all activity requiring the possession of a slot machine occupational license if:~~

- ~~(a) The division denies the application, or~~
- ~~(b) The applicant is convicted of a disqualifying criminal offense listed in Section 551.107(6), F.S.~~

PROPOSED EFFECTIVE DATE: September 1, 2020  
 Rulemaking Authority 551.103(1), 551.1045, 551.122 FS. Law Implemented 551.1045, 551.107 FS. History—New 6-21-10, Amended 5-30-17, \_\_\_\_\_.

61D-14.006 Occupational License Application Requirements for Business Entities.

- (1) No change.
- (2) An application for a business slot machine occupational license shall be made on Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, effective (month year) ~~May 2017~~, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-08246>, which can be obtained at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/> [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1037 ~~4035~~.

(3) ~~Each business applicant shall be required to Failure to include the following information as required by Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, incorporated by reference in subsection (2) above, shall constitute grounds to deny the incomplete license application:~~

- ~~(a) through (c) No change.~~
- ~~(d) Whether the applicant is seeking a one or three year license;~~
- ~~(d)(e) A check or money order for Tthe applicable business license fee as provided in Rule 61D-14.011, F.A.C.;~~
- ~~(e)(f) The physical and mailing address(es), including the country if not the United States of America;~~

~~(f)(g) A copy of the business entity’s registration to do business in the state of Florida, or proof of attempting to obtain such registration;~~

~~(g)(h) The name and title of a contact person working for the business, including a primary telephone number, an alternate telephone number, and a primary email address;~~

~~(h)(i) A list of all officers, directors, or managers of the business including:~~

1. A set of each officer, director, or manager’s fingerprints must be submitted electronically to FDLE and FBI for state and national criminal history record checks. All sets of fingerprints must be submitted by a live-scan vendor or service provider that has been approved by FDLE to electronically submit criminal history requests. If the set of fingerprints are taken on a physical fingerprint card FD-258, it must be scanned and submitted by a FDLE-approved live-scan vendor or service provider.

a. Each officer, director, or manager required to be reported pursuant to this section must provide the correct Originating Agency Identifier (ORI) number listed on the Division of Pari-Mutuel Wagering’s licensing portal website to the live-scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application;

b. The cost of fingerprint processing shall be paid by the applicant directly to the FDLE-approved livescan vendor ~~or service provider~~ or, if fingerprints are submitted to the division on a fingerprint card FD-258, shall be paid by the applicant directly to the division; and,

2. A Form DBPR PMW-3140, Disclosure for Individuals Related to a Business, DBPR PMW 3460, Authorization for Release of Information, incorporated by reference in Rule 61D-11.008 61D-14.002, F.A.C., signed by the individual.

~~(i)(j) The name, title, and job description of each employee who is required to enter any area of a slot machine licensee’s facility;~~

~~(j)(k) Disclosure of other jurisdictions in which the applicant holds, has held, or is applying for a gaming license, including any license, permit, or registry required in order to participate in any legal gaming operation.~~

~~(k)(l) Disclosure of whether the applicant has had a gaming license in another jurisdiction suspended, revoked, or denied, or whether there are administrative, civil, or criminal proceedings in any other jurisdiction that could result in the imposition of any suspension, revocation, or denial in that jurisdiction. Such disclosure shall include:~~

1. A list of the applicable license, permit, or registry required in order to participate in any legal gaming operation, including any license which has been relinquished in lieu of prosecution,

2. Any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency; and,

3. A copy of all court or administrative records regarding any denial, suspension, or revocation of a license, permit, or certification issued by any governmental agency.

~~(1)(m)~~ A description of the services, products or goods which the business intends to provide;

~~(m)(n)~~ A list of all ownership interests of five percent or greater. If a corporation, the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity or, if a business entity other than a corporation, the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity;

~~(n)(o)~~ The names and addresses of the ultimate equitable owners for a corporation or other business entity, if different from those provided under paragraph (3)(h) and (m)(i), unless:

1. through 2. No change.

~~(o)(p)~~ If the applicant is a corporation, the application shall also disclose:

1. through 6. No change.

~~(p)(q)~~ A list of slot machine licensees to whom the applicant intends to provide services, products or goods.

(4) through (6). No change.

(7) An applicant for a license as a manufacturer or distributor of slot machines, or any equipment necessary for the operation of slot machines, shall attest in the application include with its application an affidavit attesting to the fact that the applicant, its officers, directors, or employees have no ownership or financial interest in a slot machine licensee or any business owned by a slot machine licensee.

(8) No change.

(9) Each application shall be filed with the division's office located at Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1037.

(10) A business slot machine occupational licensee shall be permitted to provide goods and services to all slot machine and cardroom licensees and pari-mutuel permitholders. A business slot machine occupational licensee shall not be required to hold a Pari-Mutuel Business Occupational License or a Cardroom Business Occupational License to provide goods and services.

(11) A license application shall lapse and no longer be processed by the division, if the applicant fails to provide the division with a complete application within 120 days of a notice issued by the division pursuant to Section 120.60(1), F.S. An applicant with a lapsed license application shall not be eligible to participate in activities that require an occupational license. An applicant seeking a business slot machine occupational license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all applicable materials and fees required by this rule and Rule 61D-14.011, F.A.C.

(12) Business slot machine occupational licenses issued pursuant to Section 551.107, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an application for a business slot machine occupational license submitted between April 1st and June 30th shall have an effective date beginning July 1st of the following state fiscal year. A license granted pursuant to an application received outside of this period shall have an effective date beginning July 1st of the same state fiscal year in which the application was received.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(b), 551.107, 559.79(2) FS. History—New 7-30-06, Amended 6-21-10, 8-14-11, 9-26-13, 5-30-17, \_\_\_\_\_.

61D-14.008 Occupational License Renewal Application.

(1) The application for renewal of a slot machine occupational license shall include:

(a) A completed original Form DBPR PMW-~~3410~~ 3415, Slot Machine Individual Occupational License ~~Renewal~~ Application, incorporated by reference in Rule 61D-14.005, F.A.C., or Form DBPR PMW-~~3420~~ 3425, Slot Machine Business Entity Occupational License ~~Renewal~~ Application, ~~effective 6-21-10, incorporated herein by reference in Rule 61D-14.006, F.A.C., and can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399;~~

(b) The fees to be paid as provided in Rule 61D-14.011, F.A.C.; and,

(c) Disclosure of the following administrative, civil, or criminal actions that have occurred since the issue of the current license:

1. All administrative, civil, or criminal proceedings that have been initiated by any governmental agency or any other state or federal agency; and,

2. A complete copy of the complaint, pleadings, and any final order, judgment, or other final judicial disposition for each administrative, civil, or criminal proceeding disclosed.

~~(2) The division shall issue a slot machine occupational license for a period of one year or three years. Applications shall be accompanied by the corresponding license fee, beginning on July 1 of each year and expiring on June 30 of the anniversary year for the license.~~

(2)(3) Slot machine occupational licenses renewed pursuant to Section 551.107, F.S., shall have an effective date of July 1st and shall be valid for a period of three state fiscal years. A license granted pursuant to an application for a slot machine occupational license submitted between April 1st and June 30th shall have an effective date of July 1st of the next state fiscal year. A license granted pursuant to an application

received outside of this period shall have an effective date beginning July 1st of the same state fiscal year in which the application was received. ~~The completed renewal application shall be filed with and received by the division between April 1st and June 30th of the year the license is due to expire.~~

~~(3)(4)~~ The license for any person who fails to submit a completed renewal application in accordance with this section shall expire on the expiration date.

~~(4)(5)~~ Any person or business entity whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license:

(a) Within one year of the expiration of the ~~current~~ license, shall be considered an applicant for renewal of that license; -

(b) Longer than one year after expiration of the ~~original~~ license shall be considered an initial applicant for a slot machine occupational license required to make application using Form DBPR PMW 3410, Slot Machine Individual Occupational License Application, incorporated by reference in Rule 61D-14.005, F.A.C., and shall provide the information required pursuant to Rule 61D-14.005, F.A.C.

~~(6) Any business entity whose slot machine occupational license has expired and who seeks a subsequent slot machine occupational license shall be considered an initial slot machine occupational license applicant.~~

PROPOSED EFFECTIVE DATE: September 1, 2020  
 Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4) FS. History–New 6-25-06, Amended 6-21-10, 5-30-17, \_\_\_\_\_.

61D-14.009 Denial Criteria for Occupational License Application or Renewal.

The division shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates any of the following:

~~(1) The applicant fails to provide any document required by Rule 61D-14.005 or 61D-14.006, F.A.C.;~~

~~(1)(2)~~ The applicant is not at least 21 years old;

~~(3) The applicant has failed to pay the license fee or fingerprint fees;~~

~~(2)(4)~~ The applicant has unpaid fines from any gaming or racing jurisdiction or holds any gaming license that is currently suspended, held a gaming license that has been suspended on multiple occasions resulting in a total time suspended of one year or more, or that has been revoked or relinquished in lieu of prosecution for a criminal, civil or administrative offense;

(3) The applicant holds a gaming or racing license that is currently suspended;

(4) The applicant held or holds a gaming or racing license that has been suspended on multiple occasions resulting in a total time suspended of one year or more;

(5) The applicant has had a gaming or racing license revoked;

(6) The applicant has relinquished a racing or gaming license in lieu of prosecution for a criminal, civil or administrative offense;

~~(7)(5)~~ The applicant is an employee of the division;

~~(8)(6)~~ The applicant is a manufacturer or distributor of slot machines who has or holds a direct or indirect ownership or financial interest in a business owned by a slot machine licensee; ~~and,~~

(9) The applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.; or

~~(10)(7)~~ The applicant is a business entity with an officer, director, manager, shareholder, equity holder or other person with the ability to control the actions of the applicant who:

(a) Has been convicted of any disqualifying offense under Section 551.107(6), F.S., or

(b) Has unpaid fines from any gaming jurisdiction or holds any gaming license that is currently suspended, held a gaming license that has been suspended on multiple occasions, or that has been revoked or relinquished in lieu of prosecution for a criminal, civil or administrative offense.

PROPOSED EFFECTIVE DATE: September 1, 2020  
 Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a), (b) FS. History–New 6-25-06, Amended \_\_\_\_\_.

61D-14.010 Identification of the Occupational License Applicant.

Every applicant for a Slot Machine Professional Individual, Slot Machine General Individual, or Slot Machine/Cardroom/Pari-Mutuel Combination ~~business employee slot machine~~ occupational license shall establish his/her identity in one of the following ways:

(1) through (2). No change.

PROPOSED EFFECTIVE DATE: September 1, 2020  
 Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), 551.107(4)(a), (d) FS. History–New 6-25-06, Amended 6-21-10, \_\_\_\_\_.

61D-14.011 Occupational License and Fingerprint Fees.

(1) The license fee for an individual applying for a license under Rule 61D-14.005, F.A.C., shall be ~~\$50 for a one year license, or \$100 for a three-year license.~~

(2) The slot machine occupational license fee for a business entity applying for an occupational licensee under Rule 61D-14.006, F.A.C., shall be ~~\$1,000 for a one year license, or \$2,000 for a three-year license.~~

(3) An applicant for a Slot Machine General Individual Occupational License ~~general slot machine occupational license~~ shall provide ~~his or her application~~ to the division with a written acknowledgement from the slot machine licensee

agreeing to pay the division the fee established in subsection (1).

(4) An applicant for a Slot Machine Professional Individual Occupational License who is or will be employed by a slot machine licensee ~~professional occupational license~~ shall submit payments for licensure and fingerprinting to the slot machine licensee and shall provide the division with an acknowledgement from the slot machine licensee agreeing to pay the division the fee established in subsection (1).

(5) An applicant for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License who is or will be employed by a slot machine licensee shall comply with either the requirements of subsections (3) or (4) above when applying for licensure with the division.

~~(6)(5)~~ The slot machine licensee shall remit a check or money order daily for payment of all ~~general and professional occupational license application fees~~ licenses for employees who work at the slot machine facility outlined in subsections (3), ~~and (4), and (5)~~ above, to the division. Payment of employee occupational license application fees by the slot machine licensee shall be submitted to the division at the division's office located on the grounds of the slot machine licensee's facility.

~~(7)(6)~~ An applicant for a business entity occupational license, ~~including those individuals employed by the business entity,~~ shall provide to the division the fee established in subsection (2) above. ~~a check or money order for payment of fingerprint fees with their occupational license applications. The employing business entity may provide payment for its individual employees. For each set of fingerprints the appropriate fingerprint processing fee, as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, shall be paid by the applicant to the livescan service provider or, if fingerprints are submitted to the division on a fingerprint card FD-258 or are retained by FDLE, shall be paid by the applicant directly to the division. The fee for fingerprinting shall equal the fee established by Section 943.053(3)(b), F.S., and subsection 11C 6.010(5), F.A.C.~~

~~(8)(7)~~ An applicant for a slot machine professional or combination occupational license who is not an employee of the slot machine licensee shall pay to the division the fee established in subsection (1) above. An employing business entity may provide payment to the division on behalf of its employees. For each set of fingerprints the appropriate fingerprint processing fee, as established by the Florida Department of Law Enforcement and the Federal Bureau of Investigation, shall be paid by the applicant to the livescan service provider or, if fingerprints are submitted to the division on a fingerprint card FD-258 or are retained by FDLE, shall be paid by the applicant directly to the division. Payment of

~~professional and general employee application fees by the slot machine licensee shall be submitted to the division at the division's office located on the grounds of the slot machine licensee's facility.~~

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(1), (4)(a), (d), (7)(b), (d) FS. History—New 6-25-06, Amended 9-26-13,\_\_\_\_\_.

61D-14.012 Change of Position, Place of Work, Name, or Address.

~~(1) In the event a person holding a slot machine general employee occupational license changes job duties or functions, or employment to a position requiring a slot machine professional occupational license or slot machine business employee occupational license, the licensee shall apply to upgrade the license by completing Form DBPR PMW 3450, Slot Machine Occupational License Upgrade Application, effective May 2017, incorporated herein by reference, <http://flrules.org/Gateway/reference.asp?No=Ref-08245>, which can be obtained at [www.myfloridalicense.com](http://www.myfloridalicense.com) or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399 1035, prior to performing the professional-level duties.~~

~~(1)(2)~~ Any person employed by a slot machine licensee or slot machine business entity licensee in a position that requires a slot machine occupational license shall notify the division in writing of any change of employment to a different slot machine licensee or to any business entity licensed pursuant to Rule 61D-14.006, F.A.C., prior to performing the professional-level duties.

~~(2)(3)~~ Any person employed by a slot machine licensee or slot machine business entity licensee in a position that requires a slot machine occupational license shall notify the division in writing of any change of employment to a different slot machine licensee or to any business entity licensed pursuant to Rule 61D-14.006, F.A.C., prior to commencing the new employment.

~~(3)(4)~~ Any person or entity holding a slot machine occupational license shall inform the division in writing of any change in their name or their physical or mailing address within seven days of the date the name or address changed.

PROPOSED EFFECTIVE DATE: September 1, 2020

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(4)(a), 559.79 FS. History—New 6-25-06, Amended 5-30-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bryan Barber, Division of Pari-Mutuel Wagering,  
[bryan.barber@myfloridalicense.com](mailto:bryan.barber@myfloridalicense.com), 2601 Blair Stone Rd.,  
Tallahassee, FL 32399, (850)717-1761

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2019 and December 20, 2019

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Division of Air Resource Management**

RULE NO.: 62-210.700      RULE TITLE: Excess Emissions  
 PURPOSE AND EFFECT: The proposed rule (OGC No. 20-0097) amends Rule 62-210.700, F.A.C., to change the May 22, 2020 sunset date for startup, shutdown and malfunction in subsection 62-210.700(6), F.A.C., to May 22, 2022. A Notice of Rule Development for Rule 62-210.700, F.A.C., was published on November 14, 2019, under OGC No. 19-1187. That rulemaking package was divided into two rulemaking packages to ensure that Rule 62-210.700, F.A.C., is completed before the sunset date. The other rule sections under OGC No. 19-1187 will be completed in a separate Notice of Proposed Rule.

SUMMARY: The proposed rule addresses the Excess Emissions policy to extend the sunset date.

OTHER RULES INCORPORATING RULE 62-210.700, F.A.C: 62-110.107, 62-212.720, 62-213.440, 62-296.401, 62-296.404, 62-296.570, 62-296.702, 62-297.310, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that amendments of this rule will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A statement of estimated regulatory costs (SERC) has not been prepared by the agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or, if no SERC is required, the information expressly relied upon and described herein: The Department has determined that the amendments to this rule will not increase regulatory costs for any entity because it merely delays the sunset date by 18 months. Any person who wishes to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, FS.  
 LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 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: Hastings Read, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400. Telephone: (850)717-9017. E-mail: [hastings.read@dep.state.fl.us](mailto:hastings.read@dep.state.fl.us).

THE FULL TEXT OF THE PROPOSED RULE IS:

62-210.700 Excess Emissions.

(1) through (5) No change.

(6) After May 22, ~~2020~~ 2022, subsections 62-210.700(1) and (2), F.A.C., shall not apply to:

(a) Emission limits in Chapter 62-296, F.A.C., that have been or that become incorporated into the State Implementation Plan for the State of Florida, identified in 40 C.F.R. §52.520; and,

(b) Unit-specific emission limits that have been or that become incorporated into the State Implementation Plan for the State of Florida, identified in 40 C.F.R. §52.520.

(7) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.250, 17-210.700, Amended 11-23-94, 10-23-16, 4-4-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hastings Read, Division of Air Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Noah Valenstein, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2020

DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2019

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-13.022	Definitions
65C-13.023	Background Screening Requirements
65C-13.024	Parent Preparation Pre-service Training
65C-13.025	Initial Licensing and Unified Home Study
65C-13.026	Continuing Education
65C-13.027	Changes During the Licensed Year
65C-13.028	Re-Licensing
65C-13.030	Standards for Licensed Out-of-Home Caregivers
65C-13.031	Terms of a License
65C-13.032	Over-Capacity Assessments and Exceptions
65C-13.033	Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements
65C-13.034	Foster Care Referrals and Investigations
65C-13.035	Administrative Actions, Appeals and Closures

**PURPOSE AND EFFECT:** The Department intends to repeal Rule Chapter 65C-13, Foster Care Licensing. The content of the rules will be transferred to a new Rule Chapter 65C-45, Levels of Licensure.

**SUMMARY:** Rules 65C-13.022-.028, and .030-.035, F.A.C., will be 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: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

**RULEMAKING AUTHORITY:** 39.012, 39.0121, 39.4091(4), 409.145(5), 409.175(5)(a), 435.01(2) FS.

**LAW IMPLEMENTED:** 39.0121, 39.0138, 39.4091(2), 409.145(2), 409.175(3)(b), (c), (5)(a), (f), (6)(a), (b), 435.05 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: Jodi Abramowitz. Jodi can be reached at 850-717-4470 or Jodi.abramowitz@myflfamilies.com.

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

**65C-13.022 Definitions.**

Rulemaking Authority 409.175(5)(a) FS Law Implemented 409.175 FS. History–New 4-6-08, Amended 3-6-18, Repealed.

**65C-13.023 Background Screening Requirements.**

Rulemaking Authority 39.012, 39.0121, 409.175(5)(a), 435.01(2) FS. Law Implemented 39.0121, 39.0138, 409.175(5)(f), 435.04, 435.05 FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.

**65C-13.024 Parent Preparation Pre-service Training.**

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.

**65C-13.025 Initial Licensing and Unified Home Study.**

Rulemaking Authority 409.145(5), 409.175(5)(a), 435.01(2) FS. Law Implemented 409.145(2), 409.175(5)(a), (f), (6)(a), (b), 435.04 FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, 1-7-19, Repealed.

**65C-13.026 Continuing Education.**

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.

**65C-13.027 Changes During the Licensed Year.**

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.

**65C-13.028 Re-Licensing.**

Rulemaking Authority 409.145(5), 409.175(5)(a) FS. Law Implemented 409.145(2), 409.175(5)(a), (6)(b) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.

**65C-13.030 Standards for Licensed Out-of-Home Caregivers.**

Rulemaking Authority 409.145(5), 409.175(5)(a) FS. Law Implemented 409.145(2), 409.175(5)(a) FS. History–New 4-6-08, Amended 7-21-10, 3-6-14, 3-6-18, Repealed.

**65C-13.031 Terms of a License.**

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, Repealed.





b. Liability claim reports required pursuant to Section 429.23(5), F.S., and Rule ~~59A-36.017~~ ~~58A-5.0242~~, F.A.C.

3. Hospitals:

Adverse incident reports must be submitted electronically to the Agency within 15 calendar days after the occurrence of the incident as required in Section 395.0197, F.S., on Hospital Adverse Incident, AHCA Form 3140-5001 OL, April 2017, which is hereby incorporated by reference and available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-08779>, and through the Agency’s adverse incident reporting system which can only be accessed through the Agency’s Single Sign On Portal located at: <https://apps.ahca.myflorida.com/SingleSignOnPortal>.

4. Ambulatory Surgical Centers:

Adverse incident reports must be submitted electronically to the Agency within 15 calendar days after the occurrence of the incident as required in Section 395.0197, F.S., on Ambulatory Surgical Center Adverse Incident, AHCA Form 3140-5004 OL, April 2017, which is hereby incorporated by reference and available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-08780>, and through the Agency’s adverse incident reporting system which can only be accessed through the Agency’s Single Sign On Portal located at: <https://apps.ahca.myflorida.com/SingleSignOnPortal>.

5. Hospitals and ambulatory surgical centers must submit annual reports pursuant to Section 395.0197 F.S., electronically to the Agency on Annual Report, AHCA Form 3140-5005 OL, May 2018, which is hereby incorporated by reference and available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and through the Agency’s Single Sign On Portal located at: <https://apps.ahca.myflorida.com/SingleSignOnPortal>.

6. For the purposes of this rule ~~chapter~~, the following applies for submitting adverse incident reports:

a. A business day means any day other than a Saturday, Sunday, or legal holiday as designated in section 110.117, F.S.

b. A preliminary (1-Day) report is deemed late when submitted more than 1 business day ~~after starting from~~ the day of the incident.

c. A full report (15- Day) is deemed late when submitted more than 15 calendar days ~~after starting from~~ the day of the incident.

d. Assisted Living Facilities and Nursing Homes that submit reports deemed late may be fined up to \$50 per day late not to exceed \$500.

(b) through (c) No change.

Rulemaking Authority ~~395.0197~~, 408.806, 408.813, 408.819 F.S. Law Implemented 408.806, 408.813, 408.810, 395.0197, 429.23, F.S. History–New 7-14-10, Amended 11-13-17, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:  
61H1-33.003 Continuing Professional Education  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 46 No. 44, March 4, 2020 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NOS.: RULE TITLES:  
65C-45.001 Background Screening Requirements for all Levels of Licensure  
65C-45.003 Foster Home Initial Licensing Requirements for all Levels of Licensure  
65C-45.004 Summary, Recommendations, and Process for Submission of Initial Licensure  
65C-45.005 Level I-Waivable Requirements  
65C-45.009 Changes During the Licensed Year for all Levels of Licensure  
65C-45.012 Relicensing requirements for all Levels of Licensure

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 153, August 7, 2019 issue of the Florida Administrative Register.

65C-45.001 Background Screening Requirements for all Levels of Licensure

- (1) No change.
- (2) These screenings shall include:
  - (a) through (d) No change.

(e) Abuse and neglect records check through the Department’s Florida Safe Families Network (FSFN) which shall be documented on the “Central Abuse Hotline Record Search” form, CF 1651, (insert date), incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>;

- 1. through 5. No change.
- (f) No change.
- (3) No change.

(4) Each applicant and adult household member being screened shall sign an “Affidavit of Good Moral Character,” CF 1649, Nov 2018, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and a “Release of Information,” CF-FSP 5090, (insert date) February 2013, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

- (5) through (7) No change.

(8) Screenings identified in 65C-45.001(2)(a)-(b) that are completed through the Agency for Health Care Administration (AHCA) Background Screening Clearinghouse are valid for five years. Screenings identified in 65C-45.001(2)(a)-(b) not completed through the AHCA Background Screening Clearinghouse are valid for one year. Screenings identified in 65C-45.001 (2)(c)-(f) and 65C-45.001(6)(a)-(b) are valid for 1 year. All screenings must be valid within 60 days of re-licensure or rescreening for three-year licensure.

(9) No change.

65C-45.003 Foster Home Initial Licensing Requirements for all Levels of Licensure  
The requirement for a witness signature will be removed from form CF-FSP 5087, Confidentiality Agreement.

65C-45.004 Summary, Recommendations, and Process for Submission of Initial Licensure

(1) No change.

(2) The complete application file shall be submitted in accordance with the traditional or attestation model for licensure.

(a) No change.

(b) A licensing application file shall consist of the following documentation:

1. through 2. No change.

3. Proof of income, including:

a. No change.

b. If the applicant is not self-employed, verification shall be obtained via ~~a letter of reference or other~~ documentation from the applicant's employer that indicates the applicant's current employment and income. Employment verification must be current and within 30 days of submission to the licensing specialist. ~~If current employment is less than two (2) consecutive years in duration, secondary employment references shall be obtained;~~

c. No change.

4. thorough 7. No change.

8. References for Levels II-V caregivers shall include:

a. Two (2) Three (3) personal references who are not related to the applicant(s) and who have known the applicant(s) for at least two (2) years. Each of the two three (3) personal references must provide information related to the applicant's parenting skills. References must be verified either verbally or in writing by the supervising agency staff and documented in the Unified Home Study in FSFN.

b. No change.

c. If any school-aged child residing in the home is currently enrolled in an elementary, middle, junior high, or high school, one reference from the school is required. ~~References from school personnel of each school age child residing in the home.~~

References shall be documented in the Unified Home Study in FSFN.

d. One reference ~~References~~ from the child care provider of a preschool-aged ~~any preschool age~~ child residing in the home who is enrolled in a child care program. References shall be documented in the Unified Home Study in FSFN.

e. No change.

9. Family Documents:

a. Valid d ~~Driver's license(s) reflecting a current address and complete driving records for any household members or other persons identified who may transport children;~~ and

b. No change.

10. Family Foster Home Safety Documentation consisting of a :

~~a. Fire inspection report (where required by local zoning laws); and~~

~~b. Floor plan.~~

11. No change.

(3) through (7) No change.

65C-45.005 Level I Waivable Requirements

(1) Initial Licensure.

(a) through (d) No change.

(e) Waivable Requirements.

1. No change.

~~2. Radon testing results;~~

3. through 20. are renumbered 2. through 19. No change.

(2) No change.

65C-45.009 Changes During the Licensed Year for all Levels of Licensure

(1) through (6) No change.

(7) Change of Location. A licensed out-of-home caregiver shall notify the supervising agency no less than 30 calendar days prior to the expected date of the relocation. The supervising agency shall update the Unified Home Study summary for submission to the Regional Licensing Authority for issuance of an amended license within 30 calendar days of the relocation.

(a) Within Region.

1. Changing location within the region shall require a new "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C., a new Unified Home Study for the new location, a satisfactory environmental health inspection of the new residence, ~~the current floor plan,~~ disaster plan, home emergency evacuation plan, fire inspection where required by local zoning laws, and radon testing where applicable.

2. through 5. No change.

(b) through (c) No change.

(8) No change.

65C-45.012 Relicensing requirements for all Levels of Licensure

(1) Requirements.

(a) No change.

(b) The supervising agency shall conduct a minimum of one (1) face-to-face visit in the home and interview all household members prior to re-licensure.

~~(c)~~(b) No change.

~~(d)~~(e) An applicant shall sign all required relicensing documentation.

1. If a home inspection was deemed satisfactory at initial licensure, a new home inspection is not required for five (5) years unless a change to the home has been identified.

2. If an unsatisfactory home inspection was waived at initial licensure pursuant to rule 65C-45.005(1)(e)1., F.A.C., the homeowner shall advise the licensing specialist whether any changes to the home have been made since initial licensure. If changes have been made, a new home inspection shall be conducted.

~~1. A home environmental health inspection report shall be completed by a licensing specialist who has been trained by the Department or other state entity, such as the local health department. Health inspections completed by the Department of Health shall be requested 60 days in advance of the home's re-licensing due date to facilitate the receipt of an environmental health inspection report that indicates the home complies with the requirements specified in form CF FSP 5397 prior to the expiration of the license. Form CF FSP 5397, Foster Home Inspection Checklist, is incorporated in rule 65C 45.003, F.A.C. For the homes that are issued a three (3) year license, the health inspection is not required annually; however, the home health inspection must be completed before the end of the three (3) year licensure period.~~

~~2. The supervising agency shall direct the licensed out of home caregivers to obtain a radon test at the fifth year for licensing purposes, if required by section 404.056, F.S. After two radon measurements with negative results, no further testing is required unless the home has significant structural changes.~~

~~(e)~~(d) The supervising agency shall ensure that all required background screening has been completed pursuant to Rule 65C-45.001, F.A.C., with the exception of subsection 65C-45.001(3), F.A.C.

(e) The supervising agency responsible for completing the relicensing home study shall obtain and review information about the home from the "Case Manager/Case Worker Review of Foster Parent," CF FSP 5223, February 2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref XXX>, and the "Quality of Licensed Caregiver's Home — Community

Input," CF FSP 5225, (insert date) March 2007, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref XXX>. The "Case Manager/Case Worker Review of Foster Parent" and at least one "Quality of Licensed Caregiver's Home — Community Input" shall be completed for every child who has been placed for a minimum of 30 calendar days. The supervising agency and case manager must staff and address in the Florida Safe Families Network (FSFN) any issues raised by the case manager in the relicensing home study.

~~(f) The supervising agency shall obtain the completed "Exit Interview about Foster Parents" form, CF FSP 5353, (insert date), incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref XXX>. This form must be completed for every child over the age of five (5) who exits the home following a placement of 30 calendar days or longer. The supervising agency will review the exit interviews and must address issues raised in the exit interviews in the relicensing summary. The relicensing file must contain all applicable exit interviews. If exit interviews are not provided with the relicensing file, the supervising agency must document efforts made to secure the exit interviews, and the proper administrator of the community based care lead agency and supervising agency shall be notified.~~

~~(g) The supervising agency shall obtain from the licensed out of home caregiver a completed "Foster Parent's Review of the Case Worker/Care Manager" form, CF FSP 5224, (insert date), incorporated by reference and <https://www.flrules.org/Gateway/reference.asp?No=Ref XXX>, and review information from case managers who supervised children in the home during the previous licensing year. The supervising agency must address any issues raised by the licensed out of home caregiver with the case management staff and in the relicensing home study.~~

~~(f)~~(h) Applicants for renewal shall provide the agency with:

1. No change.

2. A current driver's license, driving record, and auto insurance coverage information, as applicable.

The licensing specialist shall observe vehicles used for transporting children for seatbelt compliance and any obvious safety hazards and document any concerns in the Unified Home Study.

(2) Relicensing Procedures.

(a) The supervising agency shall conduct a minimum of one (1) face to face visit in the home and interview all household members prior to re-licensure.

(b) The supervising agency shall review and discuss the "Partnership Plan for Children in Out of Home Care," incorporated by reference in Rule 65C 45.003, F.A.C., with the applicants, and document the date of the discussion in FSFN.

~~(c) The licensing counselor shall inspect the entire premises of the home, including all interior and exterior areas, for continued compliance with licensing standards. A narrative shall be included in the Physical Environment section of the Unified Home Study.~~

~~(d) Vehicles used for transporting children shall be observed for seatbelt compliance and any obvious safety hazards documented and addressed in a corrective action plan, if necessary. Observations, including compliance, shall be included in the Unified Home Study.~~

~~(e) Fire drill logs shall be reviewed and discussed to ensure continued compliance with licensing standards. The evacuation plan and disaster preparedness plan shall be reviewed and discussed.~~

~~(2)(3) Relicensing Unified Home Study for all levels of licensure. As a part of the relicensing application file, the supervising agency shall make a thorough assessment and evaluation of each licensed out-of-home caregiver and document this evaluation using the Unified Home Study module in FSFN.~~

~~(a) The licensing counselor shall inspect the entire premises of the home, including all interior and exterior areas, for continued compliance with licensing standards. A narrative shall be included in the Physical Environment section of the Unified Home Study.~~

~~(b)(a) The updated home study shall include all of the assessments required for an initial licensing home study as specified in Rule 65C-45.003, F.A.C. In addition to the questions in the unified home study, the updated home study shall include an assessment of fostering experiences over the past licensing year, including:~~

~~1. Youth exit interviews, case manager reviews, and foster parent reviews;~~

~~2. Documentation of at least eight (8) hours annually of continuing education;~~

~~13. No change.~~

~~24. Assessment of background screening, pursuant to Rule 65C-45.001, F.A.C.;~~

~~5. Documentation of driver's license(s) and vehicle insurance;~~

~~6. through 8.b. are renumbered 3. through 5.b. No change.~~

~~c. Documentation of the licensed out-of-home caregiver's compliance with proper administration and monitoring of medication; for children in out-of-home care and cooperation with medical directives and appointments, if applicable.~~

~~9. History of Placement Activity. Placement activity during the previous licensing year shall be identified and discussed. If the family requested that a child be moved, the reasons and circumstances must be addressed. The narrative must provide detail about each child who has left the home and address how the family has worked with each child;~~

~~10. Staff Feedback. A summary of feedback from lead and/or supervising agency staff members as it relates to the family's continued suitability and performance as a licensed out of home caregiver;~~

~~644. No change.~~

~~742. Summary. All forms and information obtained as a part of the relicensing process shall be summarized in a written narrative. The narrative should include the characteristics of children for whom the family is most appropriate, including number of children, age, gender, special needs and behaviors.~~

~~(c)(b) No change.~~

~~(4) Relicensing Process for all levels of licensure.~~

~~(a) through (h) No change.~~

~~(5) through (6) No change.~~

~~(7) Re-opening of Previously Licensed Out-of-Home Caregivers within the Region.~~

~~(a) If the applicants were licensed previously in the same region where they are currently seeking licensure, the supervising agency shall obtain and review information from the previous supervising agency which describes the applicants' performance and history as licensed out-of-home caregivers. All attempts to obtain the information shall be documented.~~

~~(b) Applicants shall complete all initial licensing requirements with the exception of pre-service training, if previously completed within five (5) years.~~

~~(c) All information received from the originating supervising agency shall be included in the application file.~~

~~(d) Required background screening for previously licensed out-of-home caregivers shall be completed no more than 12-months prior to the submission of the application.~~

~~(e) The requirements in subsection 65C-45.006, F.A.C., shall be met.~~

~~(8)(7) No change.~~

## Section IV Emergency Rules

NONE

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

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on March 2, 2020, the Southwest Florida Water Management District, received a

petition for Petitioner’s Name: Moorings at Point O’ Woods Homeowners’ Assn., Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation.

The Petition has been assigned tracking No. 20-4309.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michael Bench, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (TS2020014).

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on March 10, 2020, the South Florida Water Management District (District), received a petition for waiver, amending a previous petition, from the Miccosukee Tribe of Indians of Florida (Application No. 14-0710-3) for utilization of Works or Lands of the District known as the L-29 Canal for an existing airboat concession. This petition supersedes and replaces a previous petition received on March 19, 2018. The concession generally includes an enclosed chickee hut, shed, commercial signs, parking, portable toilet, parking, trees, a fence and airboat dock within Section 16, Township 54 South, Range 36 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) & (6), Fla. Admin. Code, which prohibits the placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District and paragraph 40E-6.221(3)(j), Fla. Admin. Code, which prohibits buildings, sheds in excess of 100 square feet, portable toilets, commercial signs and parking within Works and Lands of the District, and which also sets forth that docks shall comply with a minimum low member elevation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

**Section VI**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 19, 2020, 4:00 p.m.

PLACE: Dial-in: 1(877)309-2073, access code: 869-679-365

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Medical Cannabis Advisory Committee to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

**DEPARTMENT OF EDUCATION**

Commission for Independent Education

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

DATES AND TIMES: Commission Meetings: Degree Granting Institutions, March 25, 2020, 9:00 a.m.; Non Degree Granting Institutions, March 26, 2020, 9:00 a.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey In The Hills, Florida. 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: On March 25, 2020 beginning at 9:00 a.m. the Commission for Independent Education will consider All Degree Granting Institutions and on March 26, 2020 beginning at 9:00 a.m. the Commission for Independent Education will consider all Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed

Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges, Informal Hearings, Improper School Closure Reports, Rules Committee report, Final Orders and the General Business of the Commission. Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting, and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the Chair. The Chair may impose a cumulative time limit for all public comment on any agenda item

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

**STATE BOARD OF ADMINISTRATION**

The Florida State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 31, 2020, 1:00 p.m. until completion of agenda.

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308; attendees should check in at reception desk, on-site parking available.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment

Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Pam Noda, State Board of Administration, (850)413-1381 or pam.noda@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pam Noda, State Board of Administration, (850)413-1381 or pam.noda@sbafla.com.

**FLORIDA COMMISSION ON OFFENDER REVIEW**

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

DATES AND TIMES: Wednesday, April 1, 2020, 9:00 a.m.; Wednesday, April 22, 2020, 9:00 a.m.; Wednesday, April 29, 2020, 9:00 a.m.

PLACE: Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public customer meeting in the following docket to which all persons are invited: Docket No. 20190080-WS– Application for limited proceeding rate increase in Brevard County, by Aquarina Utilities, Inc.

DAY, DATE AND TIME: Thursday, March 26, 2020, 6:00 p.m.

PLACE: Aquarina Community Center Conference Room, 450 Aquarina Blvd, Melbourne Beach, FL 32951

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is to discuss the Application for an Increase in Rates of Aquarina Utilities, Inc. and to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff Jeff Doehling, (850)413-6127.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the meeting at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF MEETING**

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Landscape Architecture

The Board of Landscape Architecture announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 15, 2020, 1:00 p.m.

PLACE: Grand Bohemian Hotel in Downtown Orlando, 325 South Orange Avenue, Orlando, FL 32801

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

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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: Board of Landscape Architecture, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981. 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: Board of Landscape Architecture, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

**DEPARTMENT OF HEALTH**

Board of Chiropractic Medicine

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 18, 2020, 1:00 p.m.

PLACE: 1(888)585-9008, 136-103-141

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Continuing Education Courses affected by COVID-19

**CORRECTION TO ISSUE:** 46/49

**NEW MEETING DATE:** March 19, 2020, 1:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: [Anthony.Spivey@flhealth.gov](mailto:Anthony.Spivey@flhealth.gov).

**DEPARTMENT OF HEALTH**

Board of Osteopathic Medicine

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

DATE AND TIME: Friday, March 13, 2020, 1:00 p.m. ET

PLACE: Telephone conference phone number 1(888)585-9008, Conference room number 742-225-236

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Emergency rule discussion for Continuing Medical Education for renewal for the 2018/2020 biennium.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: the Board website at [www.floridasosteopathicmedicine.gov/meeting-information](http://www.floridasosteopathicmedicine.gov/meeting-information). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 24 hours before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III, at (850)245-4161 or christa.peace@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

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

DATE AND TIME: March 30, 2020, 2:30 p.m. ET

PLACE: 1317 Winewood Blvd. Room 202F, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: GENERAL SUBJECT MATTER TO BE CONSIDERED: The DCF RFP 20-300 Faith Based and Community Vocational Network. The RFP was advertised on the DMS Vendor Bid System (VBS), accessible at: [http://www.myflorida.com/apps/vbs/vbs\\_www.ad\\_r2.view\\_ad?advertisement\\_key\\_num=151525](http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=151525).

The Department will post notice of any changes or additional meetings within the VBS.

The Agenda for this meeting is as follows:

1. Purpose
2. Proposal Opening.
3. Public opportunity to speak.

A copy of the agenda may be obtained by contacting: Jana Musgrove, Procurement Officer, [jana.musgrove@myflfamilies.com](mailto:jana.musgrove@myflfamilies.com).

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

For more information, you may contact: Jana Musgrove, Procurement Officer, [jana.musgrove@myflfamilies.com](mailto:jana.musgrove@myflfamilies.com).

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

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

DATE AND TIME: April 9, 2020, 2:00 p.m. ET

PLACE: 1317 Winewood Blvd. Room 202F, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: GENERAL SUBJECT MATTER TO BE CONSIDERED: The DCF RFP 20-300 Faith Based and Community Vocational Network. The RFP was advertised on the DMS Vendor Bid System (VBS), accessible at: [http://www.myflorida.com/apps/vbs/vbs\\_www.ad\\_r2.view\\_ad?advertisement\\_key\\_num=151525](http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=151525).

The Department will post notice of any changes or additional meetings within the VBS.

The Agenda for this meeting is as follows:

1. Purpose
2. Public opportunity to speak
3. Validation of evaluator scoring.
4. Adjournment

A copy of the agenda may be obtained by contacting: Jana Musgrove, Procurement Officer, [jana.musgrove@myflfamilies.com](mailto:jana.musgrove@myflfamilies.com).

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

For more information, you may contact: Jana Musgrove, Procurement Officer, [jana.musgrove@myflfamilies.com](mailto:jana.musgrove@myflfamilies.com).

**FLORIDA HOUSING FINANCE CORPORATION**

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

DATE AND TIME: Tuesday, April 28, 2020, 10:00 a.m.

PLACE: Rick Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Review Committee meeting will be to discuss the responses received from qualified Respondents in response to RFP 2020-03 for a To-Be-Announced Program Administrator for the Homebuyer Loan Program, answer any questions the Review Committee may have regarding the responses, give the scores, and submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Jenny Marshall, (850)488-4197 or [Jenny.Marshall@floridahousing.org](mailto:Jenny.Marshall@floridahousing.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 5 days before the workshop/meeting by contacting: Jenny Marshall at Florida Housing Finance Corporation, (850)488-4197. 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 FINANCIAL SERVICES**

The Department of Financial Services announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, March 25, 2020, 2:00 p.m. – 4:00 p.m. Eastern Time

**PLACE:** 1579 Summit Lake Drive, Conference Room 155, Tallahassee, FL 32317

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project.

A copy of the agenda may be obtained by contacting: the Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/governance/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 18, 2020, 9:30 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The previously noticed Deliberation meeting for March 18, 2020 at 9:30 a.m. has been cancelled.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685.

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: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685.

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The Florida Self-Insurers Guaranty Association, Inc. Audit Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, March 24, 2020, 2:00 p.m.

**PLACE:** Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

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

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, (850)222-1882.

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: Deb Wilson, Self-Insurance Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The Florida Self-Insurers Guaranty Association, Inc. announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, March 26, 2020, 3:00 p.m.

**PLACE:** Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, (850)222-1882.

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: Deb Wilson, Self-Insurance Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

WALTON COUNTY HEALTH DEPARTMENT

The Walton County Health Department announces a public meeting to which all persons are invited.

DATE AND TIME: March 19, 2020, 11:30 a.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various board information

A copy of the agenda may be obtained by contacting: Patricia Hall, (850)892-8040 x6237.

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: Patricia Hall, (850)892-8040 x6237. 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: Patricia Hall, (850)892-8040 x6237.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

MSFM-19004190, Carlton Building, Elevator Renovation (CM)

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS

TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES

March 12, 2020

\*ATTENTION\* - Please note that changes have been made to section "RESPONSE INSTRUCTIONS"

whereby the Department is no longer requesting or accepting hard copies of submittals, only electronic copies.

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services (DMS), Division of Real Estate Development and Management, requests qualifications from licensed general contractors who wish to provide submittals for Construction Management (CM) at Risk services (i.e., the Negotiated Fee-Guaranteed Maximum Price (GMP) Construction Contracting Method, as defined by subsection 60D-5.002(12) Florida Administrative Code (F.A.C.) on the following project:

RFQ NUMBER: RFQ-REDM19/20-09

PROJECT NUMBER: MSFM-19004190

PROJECT NAME: Carlton Building, Elevator Renovation

PROJECT LOCATION: Tallahassee, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,100,000.00

**PROJECT SCOPE:** The complete modernization of existing elevators at the Carlton office buildings.

The CM must be capable of supplying workers that meet Florida Department of Law Enforcement criminal history Level 2 background checks. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

**COMPETITIVE SELECTION (QUALIFICATIONS CRITERIA):** Firms must be licensed in the State of Florida at the time of submittal. Further, if a corporation, the firm must be registered by the Department of State, Division of Corporations. The relative ability of each firm to perform the services required shall be determined utilizing the evaluation criteria set forth in the evaluation scoring form number, DMS PD24 Dated 6/2014. Pursuant to Rule 60D-5.0082, F.A.C., at least three firms, deemed to be most highly qualified to perform the required services, shall be selected and posted in order of preference on the DMS website.

**REDACTED COPY:** All materials submitted as part of this solicitation will be a public record subject to the provisions of Chapter 119, Florida Statutes. If a Respondent considers any portion of the documents, data or records submitted in its Qualifications to this solicitation to be confidential, proprietary, trade secret or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority, a Respondent must mark the document as "Confidential" and simultaneously provide the Department with a separate .pdf redacted copy of its Qualifications and briefly describe in writing the grounds for claiming exemption from the public records law, including the specific statutory citation for such exemption. This redacted copy shall contain the Department's solicitation name, number and the Respondent's name on the cover and shall be clearly titled "Redacted Copy." The Redacted Copy should only redact those portions of material that the Respondent claims is confidential, proprietary, trade secret or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority. In the event of a request for public records pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority, to which documents that are marked as confidential are responsive, the Department will provide the Redacted Copy to the requestor. If the Respondent fails to submit a redacted copy of information it claims is confidential, the Department is authorized to produce the entire documents, data or records submitted to the Department in answer to a public records request for these records.

**RESPONSE INSTRUCTIONS:** On or before the response due date listed below, firms interested in being considered for this project must submit one (1) scanned copy and one (1) scanned redacted copy (if applicable) of the entire response in Adobe .pdf on a thumb drive. Electronic copies must be non-restricted, meaning they can be saved and shared for retention and

evaluation purposes. If an electronic copy is restricted, and therefore unable to be saved, shared, or distributed to committee members, the response shall be deemed non-responsive. The table of contents and tabbed sections must be in the following order:

Preliminary Screening (*Revised Instructions*):

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria. (To include firm name, address, contact person, telephone number and email address).

2. A revised current Contractor's Experience Questionnaire and Financial Information-Form Number DMS Form CM01 Dated 7/2016. (This form may be obtained from the DMS, Building Construction website under "Forms and Documents.")

3. Project listing of relevant experience (including name of client, architect and phone number).

4. Resumes of proposed staff and staff organizations, for both pre-construction and construction phases.

5. Describe effective Project Management Systems utilized to successfully complete relevant projects.

6. Copies of the firm's current Florida Department of Business and Professional Regulation Contracting License.

7. For Corporations only: If the firm offering services is a corporation, it must be properly registered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Registration.

8. At a minimum, provide five (5) references that contain the following: project name, and the owner's representative's name, e-mail address and telephone number.

**SPECIAL NOTE FOR INTERESTED FIRMS:** For information only, you may download the New Evaluation Summary Sheet-General Contractor/Construction Manager Selection Form-(DMS PD24 Dated 6/2014) and the Contractor's Experienced Questionnaire and Financial Information-Form Number (DMS CM01 Dated 7/2016). (These documents may be obtained from the DMS, Building Construction website under Forms and Documents).

**INTERVIEWS:** The Selection Committee will conduct discussions with and may require public presentation by no fewer than three (3) firms regarding their qualifications, approach to the project and ability to furnish the required services. Selection of finalists for interview will be made on the basis of proposed office distance to site, financial capacity to project scope, relevant project type experience, proposed preconstruction phase staff, proposed construction phase staff and project management systems utilization. The list of firms selected for interview by the Selection Committee will be posted on the DMS website. Each invitee will be notified by facsimile or email of the date and time of its interview/presentation. All interviews will be held at the

following address: Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Tallahassee, Florida 32399.

**QUESTIONS:** Any questions from prospective firms concerning the RFQ shall be submitted in writing, identifying the submitter, to Sarah James by email at sarah.james@dms.myflorida.com no later than 5:00 p.m. March 17, 2020. All questions and answers/changes to the solicitation will be provided in writing and posted on the Vendor Bid System (VBS) website. It is the prospective firm’s responsibility to check periodically for any information updates to the solicitation which are posted to the VBS website. The Department bears no responsibility for any delays, or resulting impacts, associated with a prospective firm’s failure to obtain the information made available through the VBS website.

**INFORMATION WILL NOT BE AVAILABLE BY PHONE:** Any information received through an oral communication shall not be binding on the Department and shall not be relied upon by an offeror. Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour protest period following the agency posting the notice of intended award, excluding Saturdays, Sundays and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in this solicitation. Violation of this provision may be grounds for rejecting the response.

**SELECTION SCHEDULE:** The table below contains the Timeline of Events for this advertisement. Firms shall become familiar with the Timeline of Events. The dates and times within the Timeline of Events may be subject to change. It is the firm’s responsibility to check for any changes. All changes to the Timeline of Events will be made through an addendum to the advertisement on the VBS website. Firms are responsible for submitting all required documentation by the dates and times (Eastern Time) specified below.

Selection Schedule	EVENT TIME (ET)	EVENT DATE
RFQ posted to FAR and the VBS website.		3/12/2020
Question period ends.	By 5:00 p.m.	3/17/2020
Answers to questions posted to the VBS website.	By 5:00 p.m.	3/19/2020
Responses from vendors due.	By 4:00 p.m.	4/10/2020
Responses reviewed for responsiveness.		4/13/2020

Post shortlist results to the VBS website.		4/20/2020
72-hour protest period ends.		4/23/2020
Interview/Presentations of shortlisted firms.		5/5/2020
Anticipated posting of final results to the VBS website.		5/11/2020
72-hour protest period ends.		5/14/2020
Anticipated contract start date.		TBD

**RESPONSE DUE DATE:** Responses must be received by the Department, in accordance with the document delivery instructions below, on or before April 10, 2020 by 4:00 p.m. Eastern Time.

**DOCUMENT DELIEVERY:** Responses are to be submitted to: Ms. Sarah James, Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Suite 315.5x, Tallahassee, Florida 32399

The time/date stamp/clock in the Department shall serve as the official authority to determine timeliness of the responses. Responses, which for any reason are not timely received, will not be considered. Late responses will be declared non-responsive and will not be further evaluated. Unsealed and/or unsigned responses received by telegram, facsimile transmission or other similar means are not acceptable, and will be declared non-responsive and will not be further evaluated. Submittals that do not comply with the requirements or instructions of this solicitation document will be declared non-responsive and will not be further evaluated.

**DISABILITY ACCESS:** Pursuant to the provisions of the Americans with Disabilities Act according to 286.26 Florida Statutes, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Sarah James, (850)487-9929. 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).

**AWARD POSTING:** Official notice of final selection results will be by electronic posting on the VBS website [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu). Failure to file a protest within the time prescribed in subsection 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed shall constitute a waiver of proceedings under Chapter 120 Florida Statutes.

**FLORIDA HOUSING FINANCE CORPORATION**  
 Request for Proposals 2020-03, To-Be-Announced Program Administrator for the Homebuyer Loan Program  
 The Florida Housing Finance Corporation invites all qualified Respondents to submit proposals for consideration in accordance with the terms and conditions set forth in this

Request for Proposals (RFP) 2020-03, relating to the procurement of a To-Be-Announced Program Administrator for the Homebuyer Loan Program. Florida Housing expects to select one Respondent who proposes to provide these services as specified in this RFP.

Responses shall be accepted until 2:00 p.m. (Eastern Time), April 8, 2020, to the attention of the Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Jenny Marshall at (850)488-4197 or Jenny.Marshall@floridahousing.org. To obtain a copy of the RFP, which outlines selection criteria and applicant’s responsibilities, please submit your request to the attention of Jenny Marshall, or you can download the RFP from the Florida Housing Finance Corporation website at: <http://www.floridahousing.org/legal/procurements/request-for-proposals>. Any modifications that occur to the RFP will be posted at the website and may result in an extension of the deadline.

**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL  
IFP 2020-TRP-700 Transportation Voucher Replication  
Projects  
INVITATION FOR PROPOSAL (FDDC IFP 2020-TRP-700)  
TRANSPORTATION VOUCHER REPLICATION  
PROJECTS**

The Florida Developmental Disabilities Council, Inc. is pleased to release Invitation for Proposal (IFP) 2020-TRP-700 Transportation Voucher Replication Projects. Copies of the IFP, Transportation Voucher Replication Project Work Plan Template, and Scoring Rubric can be downloaded from the FDDC website – <https://www.fddc.org>

Date of Release: Thursday, March 12, 2020

Due Date: All submissions must be received by 4:00 p.m. ET on Monday, April 13, 2020.

Notification of Winning Proposal Results: Wednesday, May 13, 2020.

Contact: All questions related to this Invitation for Proposal shall be sent via email 4:00 p.m. (EDT) Tuesday, March 24, 2020 to: Holly Hohmeister, Senior Manager, Programs and Contracts, Florida Developmental Disabilities Council, Inc., 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, [proposal@fddc.org](mailto:proposal@fddc.org).

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY. Answers to any questions received will be posted on the FDDC website ([fddc.org](http://fddc.org)) by Monday, March 30, 2020.

Cone of Silence: For purposes of this solicitation, FDDC has established a solicitation silence policy (Cone of Silence) that

prohibits oral and written communication regarding all formal solicitations for goods or services (formal proposals, Request for Proposals, Invitation for Proposals, Request for Bids) issued by the FDDC with the exception of the formal written questions that may be submitted as described above. The period commences from the date of advertisement until award of contract.

Applicable Laws and Regulations: All applicable Federal and State laws, county and municipal ordinances, orders, rules and regulations of all authorities having jurisdiction over the services to be provided shall apply to the bid/proposal throughout, and they will be deemed to be included in the contract the same as though they were written in full therein.

Funds Available: The Florida Developmental Disabilities Council, Inc. (FDDC) has set aside a maximum of \$750,000 federal funds for a period not to exceed 12 months for fiscal support of this proposal to fund up to five projects at \$150,000 each. The award will remain firm for the contract period unless addendums to the scope of work are required by the funder.

**PASCO COUNTY BOARD OF COUNTY COMMISSIONERS**

**IFB-KM-20-106 WESLEY CHAPEL DISTRICT PARK GYMNASIUM**

NOTICE OF INVITATION FOR BID: The Pasco County Board of County Commissioners, Purchasing Department is soliciting formal, competitive, sealed bids from contractors for IFB-KM-20-106, Wesley Chapel District Park Gymnasium; Closing 04/28/2020 at 1:00 p.m. More information at [www.BidNetDirect.com](http://www.BidNetDirect.com).

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday March 5, 2020 and 3:00 p.m., Wednesday, March 11, 2020.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
6A-1.09401	3/6/2020	3/26/2020
12-11.002	3/5/2020	3/25/2020
12-11.003	3/5/2020	3/25/2020
12-11.011	3/5/2020	3/25/2020
12-13.005	3/5/2020	3/25/2020

12A-1.0071	3/5/2020	3/25/2020
12A-1.025	3/5/2020	3/25/2020
12A-1.060	3/5/2020	3/25/2020
12A-1.097	3/5/2020	3/25/2020
12A-12.003	3/5/2020	3/25/2020
12A-16.004	3/5/2020	3/25/2020
12A-19.010	3/5/2020	3/25/2020
12A-19.020	3/5/2020	3/25/2020
12A-19.070	3/5/2020	3/25/2020
12A-19.100	3/5/2020	3/25/2020
12B-4.001	3/5/2020	3/25/2020
12B-5.050	3/5/2020	3/25/2020
12B-5.070	3/5/2020	3/25/2020
12B-5.120	3/5/2020	3/25/2020
12B-5.1210	3/5/2020	3/25/2020
12B-12.005	3/5/2020	3/25/2020
12E-1.023	3/5/2020	3/25/2020
12E-1.029	3/5/2020	3/25/2020
53ER20-20	3/5/2020	3/5/2020
61-40.003	3/6/2020	3/26/2020
64B5-15.006	3/5/2020	3/25/2020
64B5-16.001	3/5/2020	3/25/2020
64B5-16.006	3/5/2020	3/25/2020
65A-1.205	3/5/2020	3/25/2020
65A-1.701	3/5/2020	3/25/2020
65A-1.702	3/5/2020	3/25/2020
65A-1.703	3/5/2020	3/25/2020
65A-1.707	3/5/2020	3/25/2020
65A-1.708	3/5/2020	3/25/2020
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Establishment of MOPEDS AND MORE, INC, for the line-make JIAJ. Ocala

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Triple J Import Inc., intends to allow the establishment of Mopeds and More Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycles Manufacturing Co (line-make JIAJ) at 6191 S Pine Avenue, Ocala, (Marion County), Florida, 34480, on or after April 13, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More Inc., are dealer operator(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: John Wu, Triple J Import Inc., 6654-a Jimmy Carter Boulevard, Peachtree Corners, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the

Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of DAYTONA MOTORSPORTS LLC, d/b/a DAYTONA MOTORSPORTS for the line-make BENE. South Daytona

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Value Group Enterprises, Inc., d/b/a SSR Motorsports, intends to allow the establishment of Daytona Powersports LLC, d/b/a Daytona Powersports, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co./benelli Q.j. Srl (line-make BENE) at 2385 S Ridgewood Ave, South Daytona, (Volusia County), Florida, 32119, on or after April 13, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Daytona Powersports LLC are dealer operator(s): Robert Stacy, 1485 West Silver Hammock, Deland, Florida 32720; principal investor(s): Robert Stacy, 1485 West Silver Hammock, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jeff Li, Value Group Enterprises, Inc., d/b/a SSR Motorsports, 12825 Alondra Boulevard, Norwalk, California 90650.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Section XIII  
Index to Rules Filed During Preceding  
Week

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

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