

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.:           RULE TITLE:  
65A-1.603        Food Assistance Program Income and Expenses

PURPOSE AND EFFECT: Amend to update the standard utility allowance, basic utility allowance, telephone standard and shelter deduction used to determine an assistance group’s benefits.

SUBJECT AREA TO BE ADDRESSED: Food assistance program.

RULEMAKING AUTHORITY: 414.45, F.S.

LAW IMPLEMENTED: 414.31, F.S.

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: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NOS.:        RULE TITLES:  
65A-4.201        Criteria for Hardship Extensions and Exemptions to Cash Assistance Time Limit Personal Care of a Disabled Family Member  
65A-4.203        Age  
65A-4.207        Need  
65A-4.208        Income  
65A-4.209        Budgeting  
65A-4.210        Learnfare Requirements  
65A-4.2131       Family Cap Requirements  
65A-4.214        Temporary Cash Assistance Eligibility of Pregnant Women  
65A-4.215  
65A-4.216        Immunization Program  
65A-4.220        Amount and Duration of Cash Payment

PURPOSE AND EFFECT: Amendments clarify the Temporary Cash Assistance program requirements.

SUBJECT AREA TO BE ADDRESSED: Temporary Cash Assistance

RULEMAKING AUTHORITY: 414.45, 414.065(4)(g), 414.085(2), 414.095, 414.095(14)(k), 414.095(18) F.S.

LAW IMPLEMENTED: 414.065, 414.105(9), 414.0252, 414.095 414.085, 414.1251, 414.115, 414.13, 414.14, F.S.

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: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

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## Section II

### Proposed Rules

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:           RULE TITLE:  
1S-2.040            Statewide Uniform Voter Registration Application

PURPOSE AND EFFECT: The proposed changes are to conform the language in the Statewide Voter Registration Application to statutory changes in chapter 2022-73 and 2023-120 Laws of Florida, providing addition information to the applicant about collection through a third-party voter registration application. The proposed changes also update the language and formatting of the Statewide Voter Registration Application generally, and simultaneously complete technical updates to the supervisors of elections’ addresses and telephone numbers on the back of the form. Comments to the rule have also been incorporated.

SUMMARY: The rule updates the application to conform to law and makes clarifying and requested changes.

**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 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 on this information,

the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in Section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 20.10, 97.012(1), (2), 97.052  
LAW IMPLEMENTED: 97.051, 97.052, 97.0535, 97.1031, 98.077, 101.045(2)

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 9, 2024 at 11:00 a.m.  
PLACE: Heritage Hall, 500 S. Bronough St, Tallahassee, FL 32399 or 1(888)585-9008; Conference Rom # 201-297-717.

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: Jenna McLanahan at (850)245-6513 or Jenna.McLanahan@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).. 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: Genevieve McNalis at Genevieve.mcnalis@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**1S-2.040 Statewide Uniform Voter Registration Application.**

(1) The Department of State, Division of Elections, is required to adopt by rule a uniform statewide voter registration application for use in this state. Form DS-DE 39, entitled “Florida Voter Registration Application” (eff. MM/DD/YYYY 10/21/03);

<https://www.flrules.org/Gateway/reference.asp?No=Ref-03171>, is hereby incorporated by reference. The form consists of two parts: instructions ~~and information~~, and a detachable application.

(2) This application is available through the online registration system at [www.registertovoteflorida.gov](http://www.registertovoteflorida.gov) which may be prefilled and printed for signature to submit to a Supervisor of Elections’ office. This application form is

~~available by request from the Division of Elections at Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250 or by contacting the Division of Elections at (850)245-6200; by download from the Division’s website under the voter registration link “For the Voters” at: <https://www.dos.fl.gov/elections> [myflorida.com](http://myflorida.com) ~~<http://election.dos.state.fl.us>~~, or by request from the Division of Elections at Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250, or 850(245)6200. The form is also available at any supervisor of elections’ office, any tax collector’s office that issues driver licenses, any voter registration agency, or any entity that issues fishing or hunting licenses.~~

Rulemaking Authority 20.10, 97.012(1), (2), 97.052 FS. Law Implemented 97.051, 97.052, 97.053, 97.1031, 98.077, 101.045(2) FS. History—New 11-29-05, Amended 1-1-08, 1-2-12, 10-24-13,

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Matthews  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cord Byrd  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2023  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 25, 2023

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

**DEPARTMENT OF STATE**  
**Division of Elections**  
RULE NO.: 1S-2.040      RULE TITLE: Statewide Uniform Voter Registration Application  
NOTICE OF CORRECTION  
Notice is hereby given that the following correction has been made to the proposed rule in Vol. 49 No. 237, December 8, 2023 issue of the Florida Administrative Register. DATE AND TIME: January 9, 2024 at 11:00 a.m.

**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 December 05, 2023, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Pinewood Gardens Homeowners Association, 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. 24-4384.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Talia Paolillo, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (M2023058)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On November 28, 2023 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Sunland Catering LLC located in Panama City Beach. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 49/230 on November 29, 2023. The Order for this Petition was signed and approved on December 07, 2023. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the

Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 8, 2023, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Oakwood Villages Clubhouse located at 12270 JV Parker Lane, Fort Myers Beach, FL, filed October 27, 2023, and advertised on November 1, 2023, in Vol. 49, No. 213, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.4.1.5 and 2.15.9.2, ASME A17.1, 2016 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires 5’0 pit, because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-129).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 08, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Cordovax Enterprises located in Sunrise. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and 3 compartment sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NO.: RULE TITLE:**

62-6.013 Construction Materials and Standards for Tanks  
NOTICE IS HEREBY GIVEN that on December 05, 2023, the Department of Environmental Protection, received a petition for variance pursuant to section 120.542, Florida Statutes, from Norweco, Inc. The petition requests a variance/waiver from paragraphs 62-6.013(2)(a), 62-6.013(2)(f), and 62-6.013(2)(i), Florida Administrative Code, which specifies onsite sewage tank requirements. Norweco, Inc. is a foreign corporation, with an active status with the State of Ohio, Office of the Secretary of State, and a principal office address located at: 220 Republic Street, Norwalk, OH 44857-1156. The Petition has been assigned OGC #23-1926.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Debby Tipton, telephone: 850-245-8629, e-mail: Debby.Tipton@floridaDEP.gov, Department of Environmental Protection, Division of Water Resource Management, Onsite Sewage Program, Mail Station 3596, 2600 Blair Stone Road Tallahassee, Florida 32399, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

**DEPARTMENT OF CHILDREN AND FAMILIES  
Family Safety and Preservation Program**

**RULE NO.: RULE TITLE:**

65C-22.001 General Requirements

NOTICE IS HEREBY GIVEN that on November 30, 2023, the Department of Children and Families, received a petition for variance and/or waiver from section 3.5.F of the Child Care

Facility Handbook (“Handbook”), which is incorporated by reference in subsection 65C-22.001(6), Florida Administrative Code, from St. Johns the Divine Early Learning Center. Section 3.5.F of the Handbook requires a child care facility’s outdoor play area to have adequate fencing or walls. Fencing, including gates, must be continuous and must not have gaps or opening larger than 3 ½ inches that would allow children to exit the outdoor play area.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services

The Florida Coordinating Council on Mosquito Control announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2024, 10:00 a.m.

PLACE: Anastasia Mosquito Control District  
120 EOC Drive, St. Augustine, FL 32092.

-and online via -

<https://meet.goto.com/270316125>

You can also dial in using your phone.

Access Code: 270-316-125

United States: +1 (872) 240-3212

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the council.

A copy of the agenda may be obtained by contacting: Jessica Ber, Coordinator, FCCMC@FDACS.gov, 850-617-7936.

For more information, you may contact: Jessica Ber, Coordinator, FCCMC@FDACS.gov, 850-617-7936.

**FLORIDA LEAGUE OF CITIES**

The Florida Municipal Loan Council (FMLC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2024, 10:00 a.m.

PLACE: Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301 – 850-222-9684.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council (FMLC) general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301 – 850-222-9684, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, email: pmitchell@flcities.com or call: (850) 701-3649.

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: Penny Mitchell, email: pmitchell@flcities.com or call: (850) 701-3649. 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: Penny Mitchell, email: pmitchell@flcities.com or call: (850) 701-3649.

**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**

NONE

**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., Monday, December 4, 2023 and 3:00 p.m., Friday, December 8, 2023.

Rule No.	File Date	Effective Date
12AER23-16	12/5/2023	12/5/2023
60T-1.002	12/5/2023	12/25/2023
60T-1.008	12/5/2023	12/25/2023
65E-5.350	12/8/2023	12/28/2023
63F-15.001	12/5/2023	12/25/2023
64B20-3.0001	12/5/2023	12/25/2023
69A-3.012	12/6/2023	12/31/2023
69A-60.005	12/6/2023	12/31/2023
69A-60.011	12/6/2023	12/31/2023
<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
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****

62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

**Section 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.

**WATER MANAGEMENT DISTRICTS**

Northwest Florida Water Management District  
 Notice of Availability of FY 2024-2025 Water Project Funding  
 The Northwest Florida Water Management District (District) announces the anticipated availability of funding assistance for springs restoration and alternative water supply projects in northwest Florida. Applications are due no later than Friday, February 23, 2024. The application form, guidelines, and additional information can be found on the District’s website at <https://www.nfwfwater.com/Water-Resources/Funding-Programs>. For more information, please contact Jerrick Saquibal at (850) 539-5999, or [Jerrick.Saquibal@nfwfwater.com](mailto:Jerrick.Saquibal@nfwfwater.com). Note that any awards under this program are subject approval and availability of budgeted funds of both the District and the Florida Department of Environmental Protection. 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).

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Accounting and Auditing  
 Interest Rate Pursuant to Section 55.03, Florida Statute  
 RULE NO.: RULE TITLE:  
 69I-25.003 Requirements (Repealed)  
**INTEREST RATE SET PURSUANT TO SECTION 55.03, FLORIDA STATUTES**  
 Chapter 2011-169, Laws of Florida, amended Section 55.03(1), Florida Statutes (F.S), to require the Chief Financial Officer to set the rate of interest that shall be payable on judgments. and decrees on a quarterly basis rather than an annual basis.  
 The interest rate for the quarter beginning January 1, 2024 has been set at 9.09 percent per annum or a daily rate of .0248361 percent (.000248361 expressed as a decimal).  
 Current and historical interest rates are available on the following website:  
<https://www.myfloridacfo.com/division/aa/local-governments/judgement-interest-rates>  
 Please contact the Vendor Ombudsman Section at (850) 413-5516 if you have any questions.