

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Oversight, Transparency &
 2 Administration Subcommittee

3 Representative Moraitis offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 75-596 and insert:

7 Section 2. Paragraph (i) of subsection (1), subsection
 8 (3), and paragraph (a) of subsection (7) of section 120.54,
 9 Florida Statutes, are amended to read:

10 120.54 Rulemaking.—

11 (1) GENERAL PROVISIONS APPLICABLE TO ALL RULES OTHER THAN
 12 EMERGENCY RULES.—

13 (i)1. A rule may incorporate material by reference but
 14 only as the material exists on the date the rule is adopted. For
 15 purposes of the rule, changes in the material are not effective
 16 unless the rule is amended to incorporate the changes.

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17 2. An agency rule that incorporates by specific reference
18 another rule of that agency automatically incorporates
19 subsequent amendments to the referenced rule unless a contrary
20 intent is clearly indicated in the referencing rule. A notice of
21 amendments to a rule that has been incorporated by specific
22 reference in other rules of that agency must explain the effect
23 of those amendments on the referencing rules.

24 3. In rules adopted after December 31, 2010, and rules
25 repromulgated after December 31, 2018, material may not be
26 incorporated by reference unless:

27 a. The material has been submitted in the prescribed
28 electronic format to the Department of State and the full text
29 of the material can be made available for free public access
30 through an electronic hyperlink from the rule making the
31 reference in the Florida Administrative Code; or

32 b. The agency has determined that posting the material on
33 the Internet for purposes of public examination and inspection
34 would constitute a violation of federal copyright law, in which
35 case a statement to that effect, along with the address of
36 locations at the Department of State and the agency at which the
37 material is available for public inspection and examination,
38 must be included in the notice required by subparagraph (3)(a)1.

39 4. A rule may not be amended by reference only. Amendments
40 must set out the amended rule in full in the same manner as
41 required by the State Constitution for laws.

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42 5. Notwithstanding any contrary provision in this section,
43 when an adopted rule of the Department of Environmental
44 Protection or a water management district is incorporated by
45 reference in the other agency's rule to implement a provision of
46 part IV of chapter 373, subsequent amendments to the rule are
47 not effective as to the incorporating rule unless the agency
48 incorporating by reference notifies the committee and the
49 Department of State of its intent to adopt the subsequent
50 amendment, publishes notice of such intent in the Florida
51 Administrative Register, and files with the Department of State
52 a copy of the amended rule incorporated by reference. Changes in
53 the rule incorporated by reference are effective as to the other
54 agency 20 days after the date of the published notice and filing
55 with the Department of State. The Department of State shall
56 amend the history note of the incorporating rule to show the
57 effective date of such change. Any substantially affected person
58 may, within 14 days after the date of publication of the notice
59 of intent in the Florida Administrative Register, file an
60 objection to rulemaking with the agency. The objection shall
61 specify the portions of the rule incorporated by reference to
62 which the person objects and the reasons for the objection. The
63 agency shall not have the authority under this subparagraph to
64 adopt those portions of the rule specified in such objection.
65 The agency shall publish notice of the objection and of its

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66 action in response in the next available issue of the Florida
67 Administrative Register.

68 6. The Department of State may adopt by rule requirements
69 for incorporating materials pursuant to this paragraph.

70 (3) ADOPTION PROCEDURES.—

71 (a) Notices.—

72 1. Prior to the adoption, amendment, or repeal of any rule
73 other than an emergency rule, an agency, upon approval of the
74 agency head, shall give notice of its intended action, setting
75 forth a short, plain explanation of the purpose and effect of
76 the proposed action; the full text of the proposed rule or
77 amendment and a summary thereof; a reference to the grant of
78 rulemaking authority pursuant to which the rule is adopted; and
79 a reference to the section or subsection of the Florida Statutes
80 or the Laws of Florida being implemented or interpreted. The
81 notice must include a summary of the agency's statement of the
82 estimated regulatory costs, if one has been prepared, based on
83 the factors set forth in s. 120.541(2); a statement that any
84 person who wishes to provide the agency with information
85 regarding the statement of estimated regulatory costs, or to
86 provide a proposal for a lower cost regulatory alternative as
87 provided by s. 120.541(1), must do so in writing within 21 days
88 after publication of the notice; and a statement as to whether,
89 based on the statement of the estimated regulatory costs or
90 other information expressly relied upon and described by the

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91 agency if no statement of regulatory costs is required, the
92 proposed rule is expected to require legislative ratification
93 pursuant to s. 120.541(3). The notice must state the procedure
94 for requesting a public hearing on the proposed rule. Except
95 when the intended action is the repeal of a rule, the notice
96 must include a reference both to the date on which and to the
97 place where the notice of rule development that is required by
98 subsection (2) appeared.

99 2. The notice shall be published in the Florida
100 Administrative Register not less than 28 days prior to the
101 intended action. The proposed rule, including all material
102 proposed to be incorporated by reference, shall be available for
103 inspection and copying by the public at the time of the
104 publication of notice. After December 31, 2018, material
105 proposed to be incorporated by reference in the notice required
106 by this paragraph shall be made available in the manner
107 prescribed by sub-subparagraph (1)(i)3.a. or (1)(i)3.b.

108 3. The notice shall be mailed to all persons named in the
109 proposed rule and to all persons who, at least 14 days prior to
110 such mailing, have made requests of the agency for advance
111 notice of its proceedings. The agency shall also give such
112 notice as is prescribed by rule to those particular classes of
113 persons to whom the intended action is directed.

114 4. The adopting agency shall file with the committee, at
115 least 21 days prior to the proposed adoption date, a copy of

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116 each rule it proposes to adopt; a copy of any material
117 incorporated by reference in the rule; a detailed written
118 statement of the facts and circumstances justifying the proposed
119 rule; a copy of any statement of estimated regulatory costs that
120 has been prepared pursuant to s. 120.541; a statement of the
121 extent to which the proposed rule relates to federal standards
122 or rules on the same subject; and the notice required by
123 subparagraph 1.

124 (b) Special matters to be considered in rule adoption.—

125 1. Statement of estimated regulatory costs.—Before the
126 adoption, amendment, or repeal of any rule other than an
127 emergency rule, an agency is encouraged to prepare a statement
128 of estimated regulatory costs of the proposed rule, as provided
129 by s. 120.541. However, an agency must prepare a statement of
130 estimated regulatory costs of the proposed rule, as provided by
131 s. 120.541, if:

132 a. The proposed rule will have an adverse impact on small
133 business; or

134 b. The proposed rule is likely to directly or indirectly
135 increase regulatory costs in excess of \$200,000 in the aggregate
136 in this state within 1 year after the implementation of the
137 rule.

138 2. Small businesses, small counties, and small cities.—

139 a. Each agency, before the adoption, amendment, or repeal
140 of a rule, shall consider the impact of the rule on small

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141 businesses as defined by s. 288.703 and the impact of the rule
142 on small counties or small cities as defined by s. 120.52.
143 Whenever practicable, an agency shall tier its rules to reduce
144 disproportionate impacts on small businesses, small counties, or
145 small cities to avoid regulating small businesses, small
146 counties, or small cities that do not contribute significantly
147 to the problem the rule is designed to address. An agency may
148 define "small business" to include businesses employing more
149 than 200 persons, may define "small county" to include those
150 with populations of more than 75,000, and may define "small
151 city" to include those with populations of more than 10,000, if
152 it finds that such a definition is necessary to adapt a rule to
153 the needs and problems of small businesses, small counties, or
154 small cities. The agency shall consider each of the following
155 methods for reducing the impact of the proposed rule on small
156 businesses, small counties, and small cities, or any combination
157 of these entities:

158 (I) Establishing less stringent compliance or reporting
159 requirements in the rule.

160 (II) Establishing less stringent schedules or deadlines in
161 the rule for compliance or reporting requirements.

162 (III) Consolidating or simplifying the rule's compliance
163 or reporting requirements.

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164 (IV) Establishing performance standards or best management
165 practices to replace design or operational standards in the
166 rule.

167 (V) Exempting small businesses, small counties, or small
168 cities from any or all requirements of the rule.

169 b.(I) If the agency determines that the proposed action
170 will affect small businesses as defined by the agency as
171 provided in sub-subparagraph a., the agency shall send written
172 notice of the rule to the rules ombudsman in the Executive
173 Office of the Governor at least 28 days before the intended
174 action.

175 (II) Each agency shall adopt those regulatory alternatives
176 offered by the rules ombudsman in the Executive Office of the
177 Governor and provided to the agency no later than 21 days after
178 the rules ombudsman's receipt of the written notice of the rule
179 which it finds are feasible and consistent with the stated
180 objectives of the proposed rule and which would reduce the
181 impact on small businesses. When regulatory alternatives are
182 offered by the rules ombudsman in the Executive Office of the
183 Governor, the 90-day period for filing the rule in subparagraph
184 (e)2. is extended for a period of 21 days. The agency shall
185 provide notice to the committee of any regulatory alternative
186 offered to the agency pursuant to this sub-subparagraph at least
187 21 days before filing the rule for adoption.

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188 (III) If an agency does not adopt all alternatives offered
189 pursuant to this sub-subparagraph, it shall, before rule
190 adoption or amendment and pursuant to subparagraph (d)1., file a
191 detailed written statement with the committee explaining the
192 reasons for failure to adopt such alternatives. Within 3 working
193 days after the filing of such notice, the agency shall send a
194 copy of such notice to the rules ombudsman in the Executive
195 Office of the Governor.

196 (c) Hearings.—

197 1. If the intended action concerns any rule other than one
198 relating exclusively to procedure or practice, the agency shall,
199 on the request of any affected person received within 21 days
200 after the date of publication of the notice of intended agency
201 action, give affected persons an opportunity to present evidence
202 and argument on all issues under consideration. The agency may
203 schedule a public hearing on the rule and, if requested by any
204 affected person, shall schedule a public hearing on the rule.
205 When a public hearing is held, the agency must ensure that staff
206 are available to explain the agency's proposal and to respond to
207 questions or comments regarding the rule. If the agency head is
208 a board or other collegial body created under s. 20.165(4) or s.
209 20.43(3)(g), and one or more requested public hearings is
210 scheduled, the board or other collegial body shall conduct at
211 least one of the public hearings itself and may not delegate
212 this responsibility without the consent of those persons

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213 requesting the public hearing. Any material pertinent to the
214 issues under consideration submitted to the agency within 21
215 days after the date of publication of the notice or submitted to
216 the agency between the date of publication of the notice and the
217 end of the final public hearing shall be considered by the
218 agency and made a part of the record of the rulemaking
219 proceeding.

220 2. Rulemaking proceedings shall be governed solely by the
221 provisions of this section unless a person timely asserts that
222 the person's substantial interests will be affected in the
223 proceeding and affirmatively demonstrates to the agency that the
224 proceeding does not provide adequate opportunity to protect
225 those interests. If the agency determines that the rulemaking
226 proceeding is not adequate to protect the person's interests, it
227 shall suspend the rulemaking proceeding and convene a separate
228 proceeding under the provisions of ss. 120.569 and 120.57.
229 Similarly situated persons may be requested to join and
230 participate in the separate proceeding. Upon conclusion of the
231 separate proceeding, the rulemaking proceeding shall be resumed.

232 (d) Modification or withdrawal of proposed rules.—

233 1. After the final public hearing on the proposed rule, or
234 after the time for requesting a hearing has expired, if the rule
235 has not been changed from the rule as previously filed with the
236 committee, or contains only technical changes, the adopting
237 agency shall file a notice to that effect with the committee at

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238 | least 7 days prior to filing the rule for adoption. Any change,
239 | other than a technical change that does not affect the substance
240 | of the rule, must be supported by the record of public hearings
241 | held on the rule, must be in response to written material
242 | submitted to the agency within 21 days after the date of
243 | publication of the notice of intended agency action or submitted
244 | to the agency between the date of publication of the notice and
245 | the end of the final public hearing, or must be in response to a
246 | proposed objection by the committee. In addition, when any
247 | change is made in the a proposed rule text or any material
248 | incorporated by reference, other than a technical change, the
249 | adopting agency shall provide a copy of a notice of change by
250 | certified mail or actual delivery to any person who requests it
251 | in writing no later than 21 days after the notice required in
252 | paragraph (a). The agency shall file the notice of change with
253 | the committee, along with the reasons for the change, and
254 | provide the notice of change to persons requesting it, at least
255 | 21 days prior to filing the rule for adoption. The notice of
256 | change shall be published in the Florida Administrative Register
257 | at least 21 days prior to filing the rule for adoption. This
258 | subparagraph does not apply to emergency rules adopted pursuant
259 | to subsection (4). After December 31, 2018, material proposed to
260 | be incorporated by reference in the notice required by this
261 | subparagraph shall be made available in the manner prescribed by
262 | sub-subparagraph (1)(i)3.a. or (1)(i)3.b.

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263 2. After the notice required by paragraph (a) and prior to
264 adoption, the agency may withdraw the rule in whole or in part.

265 3. After adoption and before the rule becomes effective, a
266 rule may be modified or withdrawn only in the following
267 circumstances:

268 a. When the committee objects to the rule;

269 b. When a final order, which is not subject to further
270 appeal, is entered in a rule challenge brought pursuant to s.
271 120.56 after the date of adoption but before the rule becomes
272 effective pursuant to subparagraph (e)6.;

273 c. If the rule requires ratification, when more than 90
274 days have passed since the rule was filed for adoption without
275 the Legislature ratifying the rule, in which case the rule may
276 be withdrawn but may not be modified; or

277 d. When the committee notifies the agency that an
278 objection to the rule is being considered, in which case the
279 rule may be modified to extend the effective date by not more
280 than 60 days.

281 4. The agency shall give notice of its decision to
282 withdraw or modify a rule in the first available issue of the
283 publication in which the original notice of rulemaking was
284 published, shall notify those persons described in subparagraph
285 (a)3. in accordance with the requirements of that subparagraph,
286 and shall notify the Department of State if the rule is required
287 to be filed with the Department of State.

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288 5. After a rule has become effective, it may be repealed
289 or amended only through the rulemaking procedures specified in
290 this chapter.

291 (e) Filing for final adoption; effective date.—

292 1. If the adopting agency is required to publish its rules
293 in the Florida Administrative Code, the agency, upon approval of
294 the agency head, shall file with the Department of State three
295 certified copies of the rule it proposes to adopt; one copy of
296 any material incorporated by reference in the rule, certified by
297 the agency; a summary of the rule; a summary of any hearings
298 held on the rule; and a detailed written statement of the facts
299 and circumstances justifying the rule. Agencies not required to
300 publish their rules in the Florida Administrative Code shall
301 file one certified copy of the proposed rule, and the other
302 material required by this subparagraph, in the office of the
303 agency head, and such rules shall be open to the public.

304 2. A rule may not be filed for adoption less than 28 days
305 or more than 90 days after the notice required by paragraph (a),
306 until 21 days after the notice of change required by paragraph
307 (d), until 14 days after the final public hearing, until 21 days
308 after a statement of estimated regulatory costs required under
309 s. 120.541 has been provided to all persons who submitted a
310 lower cost regulatory alternative and made available to the
311 public, or until the administrative law judge has rendered a
312 decision under s. 120.56(2), whichever applies. When a required

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313 notice of change is published prior to the expiration of the
314 time to file the rule for adoption, the period during which a
315 rule must be filed for adoption is extended to 45 days after the
316 date of publication. If notice of a public hearing is published
317 prior to the expiration of the time to file the rule for
318 adoption, the period during which a rule must be filed for
319 adoption is extended to 45 days after adjournment of the final
320 hearing on the rule, 21 days after receipt of all material
321 authorized to be submitted at the hearing, or 21 days after
322 receipt of the transcript, if one is made, whichever is latest.
323 The term "public hearing" includes any public meeting held by
324 any agency at which the rule is considered. If a petition for an
325 administrative determination under s. 120.56(2) is filed, the
326 period during which a rule must be filed for adoption is
327 extended to 60 days after the administrative law judge files the
328 final order with the clerk or until 60 days after subsequent
329 judicial review is complete.

330 3. At the time a rule is filed, the agency shall certify
331 that the time limitations prescribed by this paragraph have been
332 complied with, that all statutory rulemaking requirements have
333 been met, and that there is no administrative determination
334 pending on the rule.

335 4. At the time a rule is filed, the committee shall
336 certify whether the agency has responded in writing to all
337 material and timely written comments or written inquiries made

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338 on behalf of the committee. The department shall reject any rule
339 that is not filed within the prescribed time limits; that does
340 not comply with all statutory rulemaking requirements and rules
341 of the department; upon which an agency has not responded in
342 writing to all material and timely written inquiries or written
343 comments; upon which an administrative determination is pending;
344 or which does not include a statement of estimated regulatory
345 costs, if required.

346 5. If a rule has not been adopted within the time limits
347 imposed by this paragraph or has not been adopted in compliance
348 with all statutory rulemaking requirements, the agency proposing
349 the rule shall withdraw the rule and give notice of its action
350 in the next available issue of the Florida Administrative
351 Register.

352 6. The proposed rule shall be adopted on being filed with
353 the Department of State and become effective 20 days after being
354 filed, on a later date specified in the notice required by
355 subparagraph (a)1., on a date required by statute, or upon
356 ratification by the Legislature pursuant to s. 120.541(3). Rules
357 not required to be filed with the Department of State shall
358 become effective when adopted by the agency head, on a later
359 date specified by rule or statute, or upon ratification by the
360 Legislature pursuant to s. 120.541(3). If the committee notifies
361 an agency that an objection to a rule is being considered, the
362 agency may postpone the adoption of the rule to accommodate

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363 review of the rule by the committee. When an agency postpones
364 adoption of a rule to accommodate review by the committee, the
365 90-day period for filing the rule is tolled until the committee
366 notifies the agency that it has completed its review of the
367 rule.

368
369 For the purposes of this paragraph, the term "administrative
370 determination" does not include subsequent judicial review.

371 (7) PETITION TO INITIATE RULEMAKING.—

372 (a) Any person regulated by an agency or having
373 substantial interest in an agency rule may petition an agency to
374 adopt, amend, or repeal a rule or to provide the minimum public
375 information required by this chapter. The petition shall specify
376 the proposed rule and action requested. The agency shall file a
377 copy of the petition with the committee. Not later than 30
378 calendar days following the date of filing a petition, the
379 agency shall initiate rulemaking proceedings under this chapter,
380 otherwise comply with the requested action, or deny the petition
381 with a written statement of its reasons for the denial.

382 Section 3. Paragraph (a) of subsection (1) of section
383 120.541, Florida Statutes, is amended to read:

384 120.541 Statement of estimated regulatory costs.—

385 (1)(a) Within 21 days after publication of the notice
386 required under s. 120.54(3)(a), a substantially affected person
387 may submit to an agency a good faith written proposal for a

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388 lower cost regulatory alternative to a proposed rule which
389 substantially accomplishes the objectives of the law being
390 implemented. The agency shall provide a copy of any proposal for
391 a lower cost regulatory alternative to the committee at least 21
392 days before filing the rule for adoption. The proposal may
393 include the alternative of not adopting any rule if the proposal
394 explains how the lower costs and objectives of the law will be
395 achieved by not adopting any rule. If such a proposal is
396 submitted, the 90-day period for filing the rule is extended 21
397 days. Upon the submission of the lower cost regulatory
398 alternative, the agency shall prepare a statement of estimated
399 regulatory costs as provided in subsection (2), or shall revise
400 its prior statement of estimated regulatory costs, and either
401 adopt the alternative or provide a statement of the reasons for
402 rejecting the alternative in favor of the proposed rule.

403 Section 4. Section 120.5435, Florida Statutes, is created to
404 read:

405 120.5435 Repromulgation of rules.—

406 (1) It is the intent of the Legislature that each agency
407 shall periodically review its rules for consistency with the
408 powers and duties granted by its enabling statutes. If an agency
409 determines after review that substantive changes to update a
410 rule are not required, such agency shall repromulgate the rule
411 to reflect the date of the review.

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412 (2) Before repromulgation of the rule, an agency shall,
413 upon approval by the agency head:

414 (a) Publish a notice of repromulgation in the Florida
415 Administrative Register. A notice of repromulgation is not
416 required to include the text of the rule being promulgated.

417 (b) File the rule for repromulgation with the Department
418 of State. A rule may not be filed for repromulgation less than
419 28 days or more than 90 days after the publication of the notice
420 required by paragraph (a).

421 (3) The agency shall file a notice of repromulgation with
422 the committee at least 14 days before filing the rule for
423 repromulgation. At the time the rule is filed for
424 repromulgation, the committee shall certify whether the agency
425 has responded in writing to all material and timely written
426 comments or written inquiries made on behalf of the committee.

427 (4) If the rule is not filed for repromulgation within the
428 time limit imposed by paragraph (2)(b), the agency shall
429 withdraw the rule for repromulgation and give notice of the
430 withdrawal in the next available issue of the Florida
431 Administrative Register.

432 (5) A repromulgated rule is not subject to challenge as a
433 proposed rule pursuant to s. 120.56(2).

434 (6) The hearing requirements of s. 120.54 do not apply to
435 repromulgation of a rule.

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436 (7) (a) The agency, upon approval of the agency head or his
437 or her designee, shall file with the Department of State three
438 certified copies of the repromulgated rule it proposes to adopt
439 and one certified copy of any material incorporated by reference
440 in the rule.

441 (b) The repromulgated rule shall be adopted upon filing
442 with the Department of State and becomes effective 20 days after
443 being filed.

444 (c) The Department of State shall update the history note
445 of the rule in the Florida Administrative Code to reflect the
446 effective date of the repromulgated rule.

447 (8) The Department of State shall adopt rules to implement
448 this section by December 31, 2018.

449 Section 5. Paragraphs (a) and (c) of subsection (1) of
450 section 120.55, Florida Statutes, are amended to read:

451 120.55 Publication.—

452 (1) The Department of State shall:

453 (a)1. Through a continuous revision and publication
454 system, compile and publish electronically, on a website managed
455 by the department, the "Florida Administrative Code." The
456 Florida Administrative Code shall contain all rules adopted by
457 each agency, citing the grant of rulemaking authority and the
458 specific law implemented pursuant to which each rule was
459 adopted, all history notes as authorized in s. 120.545(7),
460 complete indexes to all rules contained in the code, and any

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461 other material required or authorized by law or deemed useful by
462 the department. The electronic code shall display each rule
463 chapter currently in effect in browse mode and allow full text
464 search of the code and each rule chapter. The department may
465 contract with a publishing firm for a printed publication;
466 however, the department shall retain responsibility for the code
467 as provided in this section. The electronic publication shall be
468 the official compilation of the administrative rules of this
469 state. The Department of State shall retain the copyright over
470 the Florida Administrative Code.

471 2. Rules general in form but applicable to only one school
472 district, community college district, or county, or a part
473 thereof, or state university rules relating to internal
474 personnel or business and finance shall not be published in the
475 Florida Administrative Code. Exclusion from publication in the
476 Florida Administrative Code shall not affect the validity or
477 effectiveness of such rules.

478 3. At the beginning of the section of the code dealing
479 with an agency that files copies of its rules with the
480 department, the department shall publish the address and
481 telephone number of the executive offices of each agency, the
482 manner by which the agency indexes its rules, a listing of all
483 rules of that agency excluded from publication in the code, and
484 a statement as to where those rules may be inspected.

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485 4. Forms shall not be published in the Florida
486 Administrative Code; but any form which an agency uses in its
487 dealings with the public, along with any accompanying
488 instructions, shall be filed with the committee before it is
489 used. Any form or instruction which meets the definition of
490 "rule" provided in s. 120.52 shall be incorporated by reference
491 into the appropriate rule. The reference shall specifically
492 state that the form is being incorporated by reference and shall
493 include the number, title, and effective date of the form and an
494 explanation of how the form may be obtained. Each form created
495 by an agency which is incorporated by reference in a rule notice
496 of which is given under s. 120.54(3)(a) after December 31, 2007,
497 must clearly display the number, title, and effective date of
498 the form and the number of the rule in which the form is
499 incorporated.

500 5. After December 31, 2018, the department shall require
501 all material incorporated by reference in any part of an adopted
502 rule and in any part of a repromulgated rule ~~allow adopted rules~~
503 ~~and material incorporated by reference~~ to be filed in the manner
504 prescribed by s. 120.54(1)(i)3.a. or s. 120.54(1)(i)3.b.
505 ~~electronic form as prescribed by department rule.~~ When a rule is
506 filed for adoption or repromulgation with incorporated material
507 in electronic form, the department's publication of the Florida
508 Administrative Code on its website must contain a hyperlink from
509 the incorporating reference in the rule directly to that

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510 material. The department may not allow hyperlinks from rules in
511 the Florida Administrative Code to any material other than that
512 filed with and maintained by the department, but may allow
513 hyperlinks to incorporated material maintained by the department
514 from the adopting agency's website or other sites.

515 6. The Department of State shall include the date of any

516

517

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T I T L E A M E N D M E N T

519

Remove lines 4-5 and insert:

520

amending s. 120.54, F.S.;