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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2023	.	
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The Committee on Environment and Natural Resources (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present subsections (16) through (19) and (20), (21), and (22) of section 120.52, Florida Statutes, are redesignated as subsections (17) through (20) and (22), (23), and (24), respectively, and new subsections (16) and (21) are added to that section, to read:

120.52 Definitions.—As used in this act:



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11 (16) "Repromulgation" means the publication and adoption of
12 an existing rule following an agency's review of the rule for
13 consistency with the powers and duties granted by its enabling
14 statute.

15 (21) "Technical change" means a change limited to
16 correcting grammatical, typographical, and similar errors not
17 affecting the substance of a rule.

18 Section 2. Paragraph (i) of subsection (1), subsections (2)
19 and (3), paragraph (c) of subsection (4), and paragraph (a) of
20 subsection (7) of section 120.54, Florida Statutes, are amended,
21 and paragraphs (e) through (j) are added to subsection (4) of
22 that section, to read:

23 120.54 Rulemaking.—

24 (1) GENERAL PROVISIONS APPLICABLE TO ALL RULES OTHER THAN
25 EMERGENCY RULES.—

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

30 2. An agency rule that incorporates by specific reference
31 another rule of that agency automatically incorporates
32 subsequent amendments to the referenced rule unless a contrary
33 intent is clearly indicated in the referencing rule. A notice of
34 amendments to a rule that has been incorporated by specific
35 reference in other rules of that agency must explain the effect
36 of those amendments on the referencing rules.

37 3. In rules adopted after December 31, 2010, and rules
38 amended or repromulgated on or after July 1, 2023, material may
39 not be incorporated by reference unless:



40 a. The material has been submitted in the prescribed
41 electronic format to the Department of State and the full text
42 of the material can be made available for free public access
43 through an electronic hyperlink from the rule making the
44 reference in the Florida Administrative Code; or

45 b. The agency has determined that posting the material on
46 the Internet for purposes of public examination and inspection
47 would constitute a violation of federal copyright law, in which
48 case a statement to that effect, along with the address of
49 locations at the Department of State and the agency at which the
50 material is available for public inspection and examination,
51 must be included in the notice required by subparagraph (3)(a)1.

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

55 5. Notwithstanding any contrary provision in this section,
56 when an adopted rule of the Department of Environmental
57 Protection or a water management district is incorporated by
58 reference in the other agency's rule to implement a provision of
59 part IV of chapter 373, subsequent amendments to the rule are
60 not effective as to the incorporating rule unless the agency
61 incorporating by reference notifies the committee and the
62 Department of State of its intent to adopt the subsequent
63 amendment, publishes notice of such intent in the Florida
64 Administrative Register, and files with the Department of State
65 a copy of the amended rule incorporated by reference. Changes in
66 the rule incorporated by reference are effective as to the other
67 agency 20 days after the date of the published notice and filing
68 with the Department of State. The Department of State shall



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69 amend the history note of the incorporating rule to show the
70 effective date of such change. Any substantially affected person
71 may, within 14 days after the date of publication of the notice
72 of intent in the Florida Administrative Register, file an
73 objection to rulemaking with the agency. The objection must
74 ~~shall~~ specify the portions of the rule incorporated by reference
75 to which the person objects and the reasons for the objection.
76 The agency does ~~shall~~ not have the authority under this
77 subparagraph to adopt those portions of the rule specified in
78 such objection. The agency shall publish notice of the objection
79 and of its action in response in the next available issue of the
80 Florida Administrative Register.

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

83 (2) RULE DEVELOPMENT; WORKSHOPS; NEGOTIATED RULEMAKING.—

84 (a) 1. Except when the intended action is the repeal of a
85 rule, agencies shall provide notice of the development of
86 proposed rules by publication of a notice of rule development in
87 the Florida Administrative Register at least 7 days before
88 providing notice of a proposed rule as required by paragraph
89 (3) (a). The notice of rule development must ~~shall~~ indicate the
90 subject area to be addressed by rule development, provide a
91 short, plain explanation of the purpose and effect of the
92 proposed rule, cite the grant of rulemaking authority for the
93 proposed rule and the law being implemented ~~specific legal~~
94 ~~authority for the proposed rule~~, and include the proposed rule
95 number and the preliminary text of the proposed rules, if
96 available, or a statement of how a person may promptly obtain,
97 without cost, a copy of any preliminary draft, when ~~if~~



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98 available. The notice must also include a request for the
99 submission of any information that would be helpful to the
100 agency in preparing the statement of estimated regulatory costs
101 required pursuant to paragraph (3)(b) and a statement of how a
102 person may submit comments on the proposal and how a person may
103 provide information regarding the potential regulatory costs.

104 2. A notice of a proposed rule must be published in the
105 Florida Administrative Register within 12 months after the most
106 recent notice of rule development.

107 (b) All rules should be drafted in readable language. The
108 language is readable if it:

109 1. ~~It~~ Avoids the use of obscure words and unnecessarily
110 long or complicated constructions; and

111 2. ~~It~~ Avoids the use of unnecessary technical or
112 specialized language that is understood only by members of
113 particular trades or professions.

114 (c) An agency may hold public workshops for purposes of
115 rule development and information gathering for the preparation
116 of the statement of estimated regulatory costs. If requested in
117 writing by any affected person, an agency must hold public
118 workshops, including workshops in various regions of this ~~the~~
119 state or the agency's service area, for purposes of rule
120 development and information gathering for the preparation of the
121 statement of estimated regulatory costs ~~if requested in writing~~
122 by any affected person, unless the agency head explains in
123 writing why a workshop is unnecessary. The explanation is not
124 final agency action subject to review pursuant to ss. 120.569
125 and 120.57. The failure to provide the explanation when required
126 may be a material error in procedure pursuant to s.



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127 120.56(1)(c). When a workshop or public hearing is held, the
128 agency must ensure that the persons responsible for preparing
129 the proposed rule and the statement of estimated regulatory
130 costs are available to receive public input, to explain the
131 agency's proposal, and to respond to questions or comments
132 regarding the rule being developed and the statement of
133 estimated regulatory costs. The workshop may be facilitated or
134 mediated by a neutral third person, or the agency may employ
135 other types of dispute resolution alternatives for the workshop
136 that are appropriate for rule development and for preparation of
137 the statement of estimated regulatory costs. Notice of a
138 workshop for rule development and for preparation of the
139 statement of estimated regulatory costs must ~~workshop shall~~ be
140 by publication in the Florida Administrative Register not less
141 than 14 days before ~~prior to~~ the date on which the workshop is
142 scheduled to be held and must ~~shall~~ indicate the subject area
143 that ~~which~~ will be addressed; the agency contact person; and the
144 place, date, and time of the workshop.

145 (d)1. An agency may use negotiated rulemaking in developing
146 and adopting rules. The agency should consider the use of
147 negotiated rulemaking when complex rules are being drafted or
148 strong opposition to the rules is anticipated. The agency should
149 consider, but is not limited to considering, whether a balanced
150 committee of interested persons who will negotiate in good faith
151 can be assembled, whether the agency is willing to support the
152 work of the negotiating committee, and whether the agency can
153 use the group consensus as the basis for its proposed rule.
154 Negotiated rulemaking uses a committee of designated
155 representatives to draft a mutually acceptable proposed rule and



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156 to develop information necessary to prepare a statement of
157 estimated regulatory costs, when applicable.

158 2. An agency that chooses to use the negotiated rulemaking
159 process described in this paragraph shall publish in the Florida
160 Administrative Register a notice of negotiated rulemaking that
161 includes a listing of the representative groups that will be
162 invited to participate in the negotiated rulemaking process. Any
163 person who believes that his or her interest is not adequately
164 represented may apply to participate within 30 days after
165 publication of the notice. All meetings of the negotiating
166 committee must ~~shall~~ be noticed and open to the public pursuant
167 to ~~the provisions of~~ this chapter. The negotiating committee
168 shall be chaired by a neutral facilitator or mediator.

169 3. The agency's decision to use negotiated rulemaking, its
170 selection of the representative groups, and approval or denial
171 of an application to participate in the negotiated rulemaking
172 process are not agency action. ~~Nothing in~~ This subparagraph is
173 not intended to affect the rights of a substantially ~~an~~ affected
174 person to challenge a proposed rule developed under this
175 paragraph in accordance with s. 120.56(2).

176 (3) ADOPTION PROCEDURES.—

177 (a) *Notices.*—

178 1. Before ~~Prior to~~ the adoption, amendment, or repeal of
179 any rule other than an emergency rule, an agency, upon approval
180 of the agency head, shall give notice of its intended action,
181 setting forth a short, plain explanation of the purpose and
182 effect of the proposed action; the proposed rule number and full
183 text of the proposed rule or amendment and a summary thereof; a
184 reference to the grant of rulemaking authority pursuant to which



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185 the rule is adopted; and a reference to the section or
186 subsection of the Florida Statutes or the Laws of Florida being
187 implemented or interpreted. The notice must include a concise
188 summary of the agency's statement of the estimated regulatory
189 costs, ~~if one has been prepared,~~ based on the factors set forth
190 in s. 120.541(2), which describes the regulatory impact of the
191 rule in readable language; an agency website address where the
192 statement of estimated regulatory costs can be viewed in its
193 entirety; a statement that any person who wishes to provide the
194 agency with information regarding the statement of estimated
195 regulatory costs, or to provide a proposal for a lower cost
196 regulatory alternative as provided by s. 120.541(1), must do so
197 in writing within 21 days after publication of the notice; a
198 request for the submission of any information that could be
199 helpful to the agency regarding the statement of estimated
200 regulatory costs; and a statement as to whether, based on the
201 statement of the estimated regulatory costs ~~or other information~~
202 ~~expressly relied upon and described by the agency if no~~
203 ~~statement of regulatory costs is required,~~ the proposed rule is
204 expected to require legislative ratification pursuant to s.
205 120.541(3). The notice must state the procedure for requesting a
206 public hearing on the proposed rule. Except when the intended
207 action is the repeal of a rule, the notice must include a
208 reference both to the date on which and to the place where the
209 notice of rule development that is required by subsection (2)
210 appeared.

211 2. The notice must ~~shall~~ be published in the Florida
212 Administrative Register at least ~~not less than~~ 28 days before
213 ~~prior to~~ the intended action. The proposed rule, including all



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214 materials proposed to be incorporated by reference and the
215 statement of estimated regulatory costs, must ~~shall~~ be available
216 for inspection and copying by the public at the time of the
217 publication of notice. Material proposed to be incorporated by
218 reference in the notice must be made available in the manner
219 prescribed by sub-subparagraph (1)(i)3.a. or sub-subparagraph
220 (1)(i)3.b.

221 3. The notice must ~~shall~~ be mailed or delivered
222 electronically to all persons named in the proposed rule and
223 mailed or delivered electronically to all persons who, at least
224 14 days before publication of the notice ~~prior to such mailing,~~
225 have made requests of the agency for advance notice of its
226 proceedings. The agency shall also give such notice as is
227 prescribed by rule to those particular classes of persons to
228 whom the intended action is directed.

229 4. The adopting agency shall file with the committee, at
230 least 21 days before ~~prior to~~ the proposed adoption date, a copy
231 of each rule it proposes to adopt; a copy of any material
232 incorporated by reference in the rule; a detailed written
233 statement of the facts and circumstances justifying the proposed
234 rule; a copy of the any statement of estimated regulatory costs
235 ~~that has been~~ prepared pursuant to s. 120.541; a statement of
236 the extent to which the proposed rule relates to federal
237 standards or rules on the same subject; and the notice required
238 by subparagraph 1.

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

240 1. Statement of estimated regulatory costs.—Before the
241 adoption or, amendment, ~~or repeal~~ of any rule, other than an
242 emergency rule, an agency must ~~is encouraged to~~ prepare a



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243 statement of estimated regulatory costs of the proposed rule, as
244 provided by s. 120.541. However, an agency is not required to
245 prepare a statement of estimated regulatory costs for a proposed
246 rule repeal unless such repeal would impose a regulatory cost.

247 In any challenge to a proposed rule repeal, a proposed rule
248 repeal that only reduces or eliminates regulations on those
249 individuals or entities regulated by the existing rule must be
250 considered presumptively correct in any proceeding before the
251 division or in any proceeding before a court of competent
252 jurisdiction ~~However, an agency must prepare a statement of~~
253 ~~estimated regulatory costs of the proposed rule, as provided by~~
254 ~~s. 120.541, if:~~

255 a. ~~The proposed rule will have an adverse impact on small~~
256 ~~business; or~~

257 b. ~~The proposed rule is likely to directly or indirectly~~
258 ~~increase regulatory costs in excess of \$200,000 in the aggregate~~
259 ~~in this state within 1 year after the implementation of the~~
260 ~~rule.~~

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

262 a. For purposes of this subsection and s. 120.541(2), an
263 adverse impact on small businesses, as defined in s. 288.703 or
264 sub-subparagraph b., exists if, for any small business:

265 (I) An owner, officer, operator, or manager must complete
266 any education, training, or testing to comply, or is likely to
267 spend at least 10 hours or purchase professional advice to
268 understand and comply, with the rule in the first year;

269 (II) Taxes or fees assessed on transactions are likely to
270 increase by \$500 or more in the aggregate in 1 year;

271 (III) Prices charged for goods and services are restricted



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272 or are likely to increase because of the rule;

273 (IV) Specially trained, licensed, or tested employees will
274 be required because of the rule;

275 (V) Operating costs are expected to increase by at least
276 \$1,000 annually because of the rule; or

277 (VI) Capital expenditures in excess of \$1,000 are necessary
278 to comply with the rule.

279 b. Each agency, before the adoption, amendment, or repeal
280 of a rule, shall consider the impact of the rule on small
281 businesses as defined in ~~by~~ s. 288.703 and the impact of the
282 rule on small counties or small cities as defined in ~~by~~ s.
283 120.52. Whenever practicable, an agency shall tier its rules to
284 reduce disproportionate impacts on small businesses, small
285 counties, or small cities to avoid regulating small businesses,
286 small counties, or small cities that do not contribute
287 significantly to the problem the rule is designed to address. An
288 agency may define "small business" to include businesses
289 employing more than 200 persons, may define "small county" to
290 include those with populations of more than 75,000, and may
291 define "small city" to include those with populations of more
292 than 10,000, if it finds that such a definition is necessary to
293 adapt a rule to the needs and problems of small businesses,
294 small counties, or small cities. The agency shall consider each
295 of the following methods for reducing the impact of the proposed
296 rule on small businesses, small counties, and small cities, or
297 any combination of these entities:

298 (I) Establishing less stringent compliance or reporting
299 requirements in the rule.

300 (II) Establishing less stringent schedules or deadlines in



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301 the rule for compliance or reporting requirements.

302 (III) Consolidating or simplifying the rule's compliance or
303 reporting requirements.

304 (IV) Establishing performance standards or best management
305 practices to replace design or operational standards in the
306 rule.

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

309 c.(I)~~b.(I)~~ If the agency determines that the proposed
310 action will affect small businesses as defined by the agency as
311 provided in sub-subparagraph b. a., the agency must ~~shall~~ send
312 written notice of the rule to the rules ombudsman in the
313 Executive Office of the Governor at least 28 days before the
314 intended action.

315 (II) Each agency shall adopt those regulatory alternatives
316 offered by the rules ombudsman in the Executive Office of the
317 Governor and provided to the agency no later than 21 days after
318 the rules ombudsman's receipt of the written notice of the rule
319 which it finds are feasible and consistent with the stated
320 objectives of the proposed rule and which would reduce the
321 impact on small businesses. When regulatory alternatives are
322 offered by the rules ombudsman in the Executive Office of the
323 Governor, the 90-day period for filing the rule in subparagraph
324 (e)2. is extended for a period of 21 days. The agency shall
325 provide notice to the committee of any regulatory alternative
326 offered to the agency pursuant to this sub-subparagraph at least
327 21 days before filing the proposed rule for adoption.

328 (III) If an agency does not adopt all alternatives offered
329 pursuant to this sub-subparagraph, it must ~~shall~~, before rule



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330 adoption or amendment and pursuant to subparagraph (d)1., file a
331 detailed written statement with the committee explaining the
332 reasons for failure to adopt such alternatives. Within 3 working
333 days after the filing of such notice, the agency shall send a
334 copy of such notice to the rules ombudsman in the Executive
335 Office of the Governor.

336 (c) *Hearings.*—

337 1. If the intended action concerns any rule other than one
338 relating exclusively to procedure or practice, the agency must
339 ~~shall~~, on the request of any affected person received within 21
340 days after the date of publication of the notice of intended
341 agency action, give affected persons an opportunity to present
342 evidence and argument on all issues under consideration. The
343 agency may schedule a public hearing on the proposed rule and,
344 if requested by any affected person, must ~~shall~~ schedule a
345 public hearing on the proposed rule. When a public hearing is
346 held, the agency must ensure that the persons responsible for
347 preparing the proposed rule and the statement of estimated
348 regulatory costs ~~staff~~ are in attendance ~~available~~ to explain
349 the agency's proposal and to respond to questions or comments
350 regarding the proposed rule, the statement of estimated
351 regulatory costs, and the agency's decision on whether to adopt
352 a lower cost regulatory alternative submitted pursuant to s.
353 120.541(1)(a). If the agency head is a board or other collegial
354 body created under s. 20.165(4) or s. 20.43(3)(g), and one or
355 more requested public hearings is scheduled, the board or other
356 collegial body must ~~shall~~ conduct at least one of the public
357 hearings itself and may not delegate this responsibility without
358 the consent of those persons requesting the public hearing. Any



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359 material pertinent to the issues under consideration submitted
360 to the agency within 21 days after the date of publication of
361 the notice or submitted to the agency between the date of
362 publication of the notice and the end of the final public
363 hearing must ~~shall~~ be considered by the agency and made a part
364 of the record of the rulemaking proceeding.

365 2. Rulemaking proceedings are ~~shall be~~ governed solely by
366 ~~the provisions of~~ this section unless a person timely asserts
367 that the person's substantial interests will be affected in the
368 proceeding and affirmatively demonstrates to the agency that the
369 proceeding does not provide adequate opportunity to protect
370 those interests. If the agency determines that the rulemaking
371 proceeding is not adequate to protect the person's interests, it
372 must ~~shall~~ suspend the rulemaking proceeding and convene a
373 separate proceeding under ~~the provisions of~~ ss. 120.569 and
374 120.57. The agency shall publish notice of convening a separate
375 proceeding in the Florida Administrative Register. Similarly
376 situated persons may be requested to join and participate in the
377 separate proceeding. Upon conclusion of the separate proceeding,
378 the rulemaking proceeding shall be resumed. All timelines in
379 this section are tolled during any suspension of the rulemaking
380 proceeding under this subparagraph, beginning on the date the
381 notice of convening a separate proceeding is published, and the
382 timelines shall resume the day after conclusion of the separate
383 proceedings, notice of which must be provided to the committee.

384 (d) *Modification or withdrawal of proposed rules.*—

385 1. After the final public hearing on the proposed rule, or
386 after the time for requesting a hearing has expired, if the
387 proposed rule has not been changed from the proposed rule as



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388 previously filed with the committee, or contains only technical
389 changes, the adopting agency shall file a notice to that effect
390 with the committee at least 7 days before ~~prior to~~ filing the
391 proposed rule for adoption. Any change, other than a technical
392 change ~~that does not affect the substance of the rule~~, must be
393 supported by the record of public hearings held on the proposed
394 rule, must be in response to written material submitted to the
395 agency within 21 days after the date of publication of the
396 notice of intended agency action or submitted to the agency
397 between the date of publication of the notice and the end of the
398 final public hearing, or must be in response to a proposed
399 objection by the committee. Any change, other than a technical
400 change, to a statement of estimated regulatory costs requires a
401 notice of change. In addition, ~~when~~ any change, other than a
402 technical change, to is made in a proposed rule text or any
403 material incorporated by reference requires, ~~other than a~~
404 ~~technical change,~~ the adopting agency to shall provide a copy of
405 a notice of change by certified mail or actual delivery to any
406 person who requests it in writing no later than 21 days after
407 the notice required in paragraph (a). The agency shall file the
408 notice of change with the committee, along with the reasons for
409 the change, and provide the notice of change to persons
410 requesting it, at least 21 days before ~~prior to~~ filing the
411 proposed rule for adoption. The notice of change must shall be
412 published in the Florida Administrative Register at least 21
413 days before ~~prior to~~ filing the proposed rule for adoption. The
414 notice of change must include a summary of any revision of the
415 statement of estimated regulatory costs required by s.
416 120.541(1)(c). This subparagraph does not apply to emergency



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417 rules adopted pursuant to subsection (4). Material proposed to
418 be incorporated by reference in the notice required by this
419 subparagraph must be made available in the manner prescribed by
420 sub-subparagraph (1)(i)3.a. or sub-subparagraph (1)(i)3.b. and
421 include a summary of substantive revisions to any material
422 proposed to be incorporated by reference in the proposed rule.

423 2. After the notice required by paragraph (a) and before
424 prior to adoption, the agency may withdraw the proposed rule in
425 whole or in part.

426 3. After the notice required by paragraph (a), the agency
427 must withdraw the proposed rule if the agency has failed to
428 adopt it within the prescribed timeframes in this chapter. If
429 the agency, 30 days after notice by the committee that the
430 agency has failed to adopt the proposed rule within the
431 prescribed timeframes in this chapter, has not given notice of
432 the withdrawal of the proposed rule, the committee must notify
433 the Department of State that the date for adoption of the rule
434 has expired, and the Department of State must publish a notice
435 of withdrawal of the proposed rule.

436 4. After adoption and before the rule becomes effective, a
437 rule may be modified or withdrawn only in the following
438 circumstances:

439 a. When the committee objects to the rule;

440 b. When a final order, which is not subject to further
441 appeal, is entered in a rule challenge brought pursuant to s.
442 120.56 after the date of adoption but before the rule becomes
443 effective pursuant to subparagraph (e)6.;

444 c. If the rule requires ratification, when more than 90
445 days have passed since the rule was filed for adoption without



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446 the Legislature ratifying the rule, in which case the rule may
447 be withdrawn but may not be modified; or

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

451 ~~5.4.~~ The agency shall give notice of its decision to
452 withdraw or modify a rule in the first available issue of the
453 publication in which the original notice of rulemaking was
454 published, shall notify those persons described in subparagraph
455 (a)3. in accordance with the requirements of that subparagraph,
456 and shall notify the Department of State if the rule is required
457 to be filed with the Department of State.

458 ~~6.5.~~ After a rule has become effective, it may be repealed
459 or amended only through the rulemaking procedures specified in
460 this chapter.

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

462 1. If the adopting agency is required to publish its rules
463 in the Florida Administrative Code, the agency, upon approval of
464 the agency head, must electronically ~~shall~~ file with the
465 Department of State a three certified copy ~~copies~~ of the rule it
466 proposes to adopt; one copy of any material incorporated by
467 reference in the rule, certified by the agency; a summary of the
468 rule; a summary of any hearings held on the rule; and a detailed
469 written statement of the facts and circumstances justifying the
470 rule. Agencies not required to publish their rules in the
471 Florida Administrative Code shall file one certified copy of the
472 proposed rule, and the other material required by this
473 subparagraph, in the office of the agency head, and such rules
474 must ~~shall~~ be open to the public.



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475 2. A rule may not be filed for adoption less than 28 days
476 or more than 90 days after the notice required by paragraph (a),
477 until 21 days after the notice of change required by paragraph
478 (d), until 14 days after the final public hearing, until 21 days
479 after a statement of estimated regulatory costs required under
480 s. 120.541 has been provided to all persons who submitted a
481 lower cost regulatory alternative and made available to the
482 public at a readily accessible page on the agency's website, or
483 until the administrative law judge has rendered a decision under
484 s. 120.56(2), whichever applies. When a required notice of
485 change is published before ~~prior to~~ the expiration of the time
486 to file the rule for adoption, the period during which a rule
487 must be filed for adoption is extended to 45 days after the date
488 of publication. If notice of a public hearing is published
489 before ~~prior to~~ the expiration of the time to file the rule for
490 adoption, the period during which a rule must be filed for
491 adoption is extended to 45 days after adjournment of the final
492 hearing on the rule, 21 days after receipt of all material
493 authorized to be submitted at the hearing, or 21 days after
494 receipt of the transcript, if one is made, whichever is latest.
495 The term "public hearing" includes any public meeting held by
496 any agency at which the rule is considered. If a petition for an
497 administrative determination under s. 120.56(2) is filed, the
498 period during which a rule must be filed for adoption is
499 extended to 60 days after the administrative law judge files the
500 final order with the clerk or until 60 days after subsequent
501 judicial review is complete.

502 3. At the time a rule is filed, the agency shall certify
503 that the time limitations prescribed by this paragraph have been



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504 | complied with, that all statutory rulemaking requirements have
505 | been met, and that there is no administrative determination
506 | pending on the rule.

507 | 4. At the time a rule is filed, the committee shall certify
508 | whether the agency has responded in writing to all material and
509 | timely written comments or written inquiries made on behalf of
510 | the committee. The Department of State shall reject any rule
511 | that is not filed within the prescribed time limits; that does
512 | not comply with all statutory rulemaking requirements and rules
513 | of the Department of State; upon which an agency has not
514 | responded in writing to all material and timely written
515 | inquiries or written comments; upon which an administrative
516 | determination is pending; or which does not include a statement
517 | of estimated regulatory costs, if required.

518 | 5. If a rule has not been adopted within the time limits
519 | imposed by this paragraph or has not been adopted in compliance
520 | with all statutory rulemaking requirements, the agency proposing
521 | the rule must ~~shall~~ withdraw the proposed rule and give notice
522 | of its action in the next available issue of the Florida
523 | Administrative Register. If the agency has not published notice
524 | of withdrawal of the rule during the 30 days after receiving
525 | notice from the committee that the agency has failed to withdraw
526 | the rule, the committee must notify the Department of State that
527 | the date for adoption of the rule has expired, and the
528 | Department of State must publish a notice of withdrawal of the
529 | rule.

530 | 6. The proposed rule shall be adopted on being filed with
531 | the Department of State and becomes ~~become~~ effective 20 days
532 | after being filed, on a later date specified in the notice



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533 required by subparagraph (a)1., on a date required by statute,
534 or upon ratification by the Legislature pursuant to s.
535 120.541(3). Rules not required to be filed with the Department
536 of State ~~shall~~ become effective when adopted by the agency head,
537 on a later date specified by rule or statute, or upon
538 ratification by the Legislature pursuant to s. 120.541(3). If
539 the committee notifies an agency that an objection to a rule is
540 being considered, the agency may postpone the adoption of the
541 rule to accommodate review of the rule by the committee. When an
542 agency postpones adoption of a rule to accommodate review by the
543 committee, the 90-day period for filing the rule is tolled until
544 the committee notifies the agency that it has completed its
545 review of the rule.

546
547 For the purposes of this paragraph, the term "administrative
548 determination" does not include subsequent judicial review.

549 (4) EMERGENCY RULES.—

550 (c) Unless otherwise provided by law, an emergency rule may
551 ~~adopted under this subsection shall~~ not be effective for a
552 period longer than 90 days and is ~~shall~~ not ~~be~~ renewable, except
553 when the agency has initiated rulemaking to adopt rules
554 addressing the subject of the emergency rule and either:

555 1. A challenge to the proposed rules has been filed and
556 remains pending; or

557 2. The proposed rules are awaiting ratification by the
558 Legislature pursuant to s. 120.541(3).

559

560 ~~Nothing in~~ This paragraph does not prohibit ~~prohibits~~ the agency
561 from adopting a rule or rules identical to the emergency rule



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562 through the rulemaking procedures specified in subsection (3).

563 (e) Emergency rules must be published in the Florida
564 Administrative Code.

565 (f) An agency may supersede an emergency rule currently in
566 effect through adoption of another emergency rule. The agency
567 must state the reason for adopting the new rule, in accordance
568 with the procedures set forth in paragraph (a), and the new rule
569 must be in effect for the duration of the effective period of
570 the superseded rule. Technical changes to an emergency rule may
571 be made within the first 7 days after adoption of the rule.

572 (g) Any notice of the renewal of an emergency rule must be
573 published in the Florida Administrative Register before the
574 expiration of the existing emergency rule. The notice of renewal
575 must state the specific facts and reasons for the renewal
576 pursuant to paragraph (c).

577 (h) All emergency rules must be published in the Florida
578 Administrative Code in the section of the code dealing with the
579 agency.

580 (i) For emergency rules with an effective period longer
581 than 90 days which are intended to replace existing rules, a
582 note must be added to the history note of the existing rule
583 which specifically identifies the emergency rule that is
584 intended to supersede the existing rule and includes the date
585 that the emergency rule was filed with the Department of State.

586 (j) An emergency rule adopted under this subsection may be
587 repealed at any time while the rule is in effect by publishing a
588 notice in the Florida Administrative Register citing the reason
589 for the repeal and the effective date of the repeal.

590 (7) PETITION TO INITIATE RULEMAKING.—



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591 (a) Any person regulated by an agency or having substantial
592 interest in an agency rule may petition an agency to adopt,
593 amend, or repeal a rule or to provide the minimum public
594 information required by this chapter. The petition must ~~shall~~
595 specify the proposed rule and action requested. The agency shall
596 file a copy of the petition with the committee. No ~~Not~~ later
597 than 30 calendar days after ~~following the date of~~ filing a
598 petition, the agency shall initiate rulemaking proceedings under
599 this chapter, otherwise comply with the requested action, or
600 deny the petition with a written statement of its reasons for
601 the denial.

602 Section 3. Section 120.541, Florida Statutes, is amended to
603 read:

604 120.541 Statement of estimated regulatory costs.—

605 (1) (a) Within 21 days after publication of the notice of a
606 proposed rule or notice of change ~~required under s.~~
607 ~~120.54(3)(a)~~, a substantially affected person may submit to an
608 agency a good faith written proposal for a lower cost regulatory
609 alternative to a proposed rule which substantially accomplishes
610 the objectives of the law being implemented. The agency shall
611 provide a copy of any proposal for a lower cost regulatory
612 alternative to the committee at least 21 days before filing the
613 proposed rule for adoption. The proposal may include the
614 alternative of not adopting any rule if the proposal explains
615 how the lower costs and objectives of the law will be achieved
616 by not adopting any rule. If submitted after a notice of change,
617 a proposal for a lower cost regulatory alternative is deemed to
618 be made in good faith only if the person reasonably believes,
619 and the proposal states the person's reasons for believing, that



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620 the proposed rule as changed by the notice of change increases
621 the regulatory costs or creates an adverse impact on small
622 businesses which was not created by the previous proposed rule.
623 If such a proposal is submitted, the 90-day period for filing
624 the rule is extended 21 days. Upon the submission of the lower
625 cost regulatory alternative, the agency shall ~~prepare a~~
626 ~~statement of estimated regulatory costs as provided in~~
627 ~~subsection (2), or shall~~ revise its prior statement of estimated
628 regulatory costs, and either adopt the alternative proposal,
629 reject the alternative proposal, or modify the proposed rule to
630 reduce the regulatory costs. If the agency rejects the
631 alternative proposal or modifies the proposed rule, the agency
632 must ~~or~~ provide a statement of the reasons for rejecting the
633 alternative in favor of the proposed rule.
634 ~~(b) If a proposed rule will have an adverse impact on small~~
635 ~~business or if the proposed rule is likely to directly or~~
636 ~~indirectly increase regulatory costs in excess of \$200,000 in~~
637 ~~the aggregate within 1 year after the implementation of the~~
638 ~~rule, the agency shall prepare a statement of estimated~~
639 ~~regulatory costs as required by s. 120.54(3)(b).~~
640 ~~(b)(c)~~ The agency must ~~shall~~ revise a statement of
641 estimated regulatory costs if any change to the rule made under
642 s. 120.54(3)(d) increases the regulatory costs of the rule or if
643 the rule is modified in response to the submission of a lower
644 cost regulatory alternative. A summary of the revised statement
645 must be included with any subsequent notice published under s.
646 120.54(3).
647 ~~(c)(d)~~ At least 21 days before filing the proposed rule for
648 adoption, an agency that is required to revise a statement of



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649 estimated regulatory costs shall provide the statement to the
650 person who submitted the lower cost regulatory alternative, to
651 the rules ombudsman in the Executive Office of the Governor, and
652 to the committee. The revised statement must be published and
653 made available in the same manner as the original statement of
654 estimated regulatory costs and shall provide notice on the
655 agency's website that it is available to the public.

656 (d) ~~(e)~~ Notwithstanding s. 120.56(1)(c), the failure of the
657 agency to prepare and publish a statement of estimated
658 regulatory costs or to respond to a written lower cost
659 regulatory alternative as provided in this subsection is a
660 material failure to follow the applicable rulemaking procedures
661 or requirements set forth in this chapter.

662 (e) ~~(f)~~ An agency's failure to prepare a statement of
663 estimated regulatory costs or to respond to a written lower cost
664 regulatory alternative may not be raised in a proceeding
665 challenging the validity of a rule pursuant to s. 120.52(8)(a)
666 unless:

667 1. Raised in a petition filed no later than 1 year after
668 the effective date of the rule; and

669 2. Raised by a person whose substantial interests are
670 affected by the rule's regulatory costs.

671 (f) ~~(g)~~ A rule that is challenged pursuant to s.
672 120.52(8)(f) may not be declared invalid unless:

673 1. The issue is raised in an administrative proceeding
674 within 1 year after the effective date of the rule;

675 2. The challenge is to the agency's rejection of a lower
676 cost regulatory alternative offered under paragraph (a) or s.
677 120.54(3)(b)2.c. ~~s. 120.54(3)(b)2.b.~~; and



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678 3. The substantial interests of the person challenging the
679 rule are materially affected by the rejection.

680 (2) A statement of estimated regulatory costs must ~~shall~~
681 include:

682 (a) An economic analysis showing whether the rule directly
683 or indirectly:

684 1. Is likely to have an adverse impact on economic growth,
685 private sector job creation or employment, or private sector
686 investment in excess of \$1 million in the aggregate within 5
687 years after the implementation of the rule;

688 2. Is likely to have an adverse impact on business
689 competitiveness, including the ability of persons doing business
690 in this ~~the~~ state to compete with persons doing business in
691 other states or domestic markets, productivity, or innovation in
692 excess of \$1 million in the aggregate within 5 years after the
693 implementation of the rule; or

694 3. Is likely to increase regulatory costs, including all
695 ~~any transactional~~ costs and impacts estimated in the statement,
696 in excess of \$1 million in the aggregate within 5 years after
697 the implementation of the rule.

698 (b) A good faith estimate of the number of individuals,
699 small businesses, and other entities likely to be required to
700 comply with the rule, together with a general description of the
701 types of individuals likely to be affected by the rule.

702 (c) A good faith estimate of the cost to the agency, and to
703 any other state and local government entities, of implementing
704 and enforcing the proposed rule, and any anticipated effect on
705 state or local revenues.

706 (d) A good faith estimate of the compliance ~~transactional~~



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707 costs likely to be incurred by individuals and entities,
708 including local government entities, required to comply with the
709 requirements of the rule. ~~As used in this section,~~
710 ~~"transactional costs" are direct costs that are readily~~
711 ~~ascertainable based upon standard business practices, and~~
712 ~~include filing fees, the cost of obtaining a license, the cost~~
713 ~~of equipment required to be installed or used or procedures~~
714 ~~required to be employed in complying with the rule, additional~~
715 ~~operating costs incurred, the cost of monitoring and reporting,~~
716 ~~and any other costs necessary to comply with the rule.~~

717 (e) An analysis of the impact on small businesses as
718 defined by s. 288.703, and an analysis of the impact on small
719 counties and small cities as defined in s. 120.52. The impact
720 analysis for small businesses must include the basis for the
721 agency's decision not to implement alternatives that would
722 reduce adverse impacts on small businesses.

723 (f) Any additional information that the agency determines
724 may be useful.

725 (g) In the ~~statement or revised statement, whichever~~
726 ~~applies,~~ a description of any regulatory alternatives submitted
727 under paragraph (1) (a) and a statement adopting the alternative
728 or a statement of the reasons for rejecting the alternative in
729 favor of the proposed rule.

730 (3) If the adverse impact or regulatory costs of the rule
731 exceed any of the criteria established in paragraph (2) (a), the
732 rule must ~~shall~~ be submitted to the President of the Senate and
733 Speaker of the House of Representatives no later than 30 days
734 before ~~prior to~~ the next regular legislative session, and the
735 rule may not take effect until it is ratified by the



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736 Legislature.

737 (4) Subsection (3) does not apply to the adoption of:

738 (a) Federal standards pursuant to s. 120.54(6).

739 (b) Triennial updates of and amendments to the Florida
740 Building Code which are expressly authorized by s. 553.73.

741 (c) Triennial updates of and amendments to the Florida Fire
742 Prevention Code which are expressly authorized by s. 633.202.

743 (d) Emergency rules adopted pursuant to s. 120.54(4).

744 (5) For purposes of subsections (2) and (3), adverse
745 impacts and regulatory costs likely to occur within 5 years
746 after implementation of the rule include adverse impacts and
747 regulatory costs estimated to occur within 5 years after the
748 effective date of the rule. However, if any provision of the
749 rule is not fully implemented upon the effective date of the
750 rule, the adverse impacts and regulatory costs associated with
751 such provision must be adjusted to include any additional
752 adverse impacts and regulatory costs estimated to occur within 5
753 years after implementation of such provision.

754 (6) (a) In evaluating the impacts described in paragraphs
755 (2) (a) and (e), an agency shall include good faith estimates of
756 market impacts likely to result from compliance with the
757 proposed rule, including:

758 1. Increased customer charges for goods or services.

759 2. Decreased market value of goods or services produced,
760 provided, or sold.

761 3. Increased costs resulting from the purchase of
762 substitute or alternative goods or services.

763 4. The reasonable value of time to be spent by owners,
764 officers, operators, and managers to understand and comply with



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765 the proposed rule, including, but not limited to, time to be
766 spent completing required education, training, or testing.

767 5. Capital costs.

768 6. Any other impacts suggested by the rules ombudsman in
769 the Executive Office of the Governor or by any interested
770 persons.

771 (b) In estimating the information required in paragraphs
772 (2) (b)-(e), the agency may use surveys of individuals,
773 businesses, business organizations, counties, and municipalities
774 to collect data helpful to estimate the costs and impacts.

775 (c) In estimating compliance costs under paragraph (2) (d),
776 the agency shall consider, among other matters, all direct and
777 indirect costs necessary to comply with the proposed rule which
778 are readily ascertainable based upon standard business
779 practices, including, but not limited to, costs related to:

780 1. Filing fees.

781 2. Expenses to obtain a license.

782 3. Necessary equipment.

783 4. Installation, utilities, and maintenance of necessary
784 equipment.

785 5. Necessary operations and procedures.

786 6. Accounting, financial, information management, and other
787 administrative processes.

788 7. Other processes.

789 8. Labor based on relevant rates of wages, salaries, and
790 benefits.

791 9. Materials and supplies.

792 10. Capital expenditures, including financing costs.

793 11. Professional and technical services, including



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794 contracted services necessary to implement and maintain
795 compliance.

796 12. Monitoring and reporting.

797 13. Qualifying and recurring education, training, and
798 testing.

799 14. Travel.

800 15. Insurance and surety requirements.

801 16. A fair and reasonable allocation of administrative
802 costs and other overhead.

803 17. Reduced sales or other revenues.

804 18. Other items suggested by the rules ombudsman in the
805 Executive Office of the Governor or by any interested person,
806 business organization, or business representative.

807 (7) (a) The Department of State shall include on the Florida
808 Administrative Register website the agency website addresses
809 where statements of estimated regulatory costs can be viewed in
810 their entirety.

811 (b) An agency that prepares a statement of estimated
812 regulatory costs must provide, as part of the notice required
813 under s. 120.54(3) (a), the agency website address where the
814 statement of estimated regulatory costs can be read in its
815 entirety to the Department of State for publication in the
816 Florida Administrative Register.

817 (c) If an agency revises its statement of estimated
818 regulatory costs, the agency must provide notice that a revision
819 has been made in the manner provided under s. 120.54(3) (d)1.
820 Such notice must also include the agency website address where
821 the revision can be viewed in its entirety.

822 Section 4. Section 120.5435, Florida Statutes, is created



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823 to read:

824 120.5435 Repromulgation of rules.—

825 (1) It is the intent of the Legislature that each agency
826 periodically review its rules for consistency with the powers
827 and duties granted by its enabling statutes.

828 (2) If an agency determines after review that substantive
829 changes to update a rule are not required, such agency must
830 repromulgate the rule to reflect the date of the review. All
831 rules adopted, amended, or repromulgated on or after July 1,
832 2023, must be reviewed within 5 years after their effective
833 dates and every 5 years thereafter. Each agency shall review all
834 existing rules pursuant to this section no later than December
835 31, 2028. Any variation from this schedule must be reflected in
836 the agency's regulatory plan. No later than December 31, 2023,
837 the committee shall provide each agency with a list of existing
838 rules and their effective dates. Failure of an agency to adhere
839 to the deadlines imposed in this section constitutes a material
840 failure to follow the applicable rulemaking procedures or
841 requirements of this chapter and shall be the basis of an
842 objection under s. 120.545.

843 (3) Before repromulgation of a rule, the agency must, upon
844 approval by the agency head or his or her designee:

845 (a) Publish a notice of repromulgation in the Florida
846 Administrative Register. A notice of repromulgation is not
847 required to include the text of the rule being repromulgated.

848 (b) File the rule for repromulgation with the Department of
849 State. A rule may not be filed for repromulgation less than 28
850 days, or more than 90 days, after the date of publication of the
851 notice required by paragraph (a).



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852 (4) The agency must file a notice of repromulgation with
853 the committee at least 14 days before filing the rule for
854 repromulgation. At the time the rule is filed for
855 repromulgation, the committee shall certify whether the agency
856 has responded in writing to all material and timely written
857 comments or written inquiries made on behalf of the committee.

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

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

862 (7) (a) The agency, upon approval of the agency head or his
863 or her designee, shall electronically file with the Department
864 of State a certified copy of the repromulgated rule it proposes
865 to adopt and one certified copy of any material incorporated by
866 reference in the rule.

867 (b) The rule is considered to be repromulgated upon its
868 filing with the Department of State.

869 (c) The Department of State shall update the history note
870 of the rule in the Florida Administrative Code to reflect the
871 filing date of the repromulgated rule.

872 (8) At least 30 days before each legislative session, the
873 committee shall submit to the President of the Senate and the
874 Speaker of the House of Representatives a list of all rules that
875 have not been repromulgated in accordance with this section, and
876 identify whether the statutory rulemaking authority for each
877 rule remains in effect. If no action is taken by the Legislature
878 with regard to a rule during the next regular legislative
879 session, each agency, within 14 days after the close of the
880 session, must initiate rulemaking proceedings under chapter 120



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881 to repeal the rule.

882 (9) The Department of State shall adopt rules to implement
883 this section by December 31, 2023.

884 Section 5. Section 120.5436, Florida Statutes, is created
885 to read:

886 120.5436 Infrastructure and environmental permitting
887 review.-

888 (1) (a) It is the intent of the Legislature to build a more
889 resilient and responsive government infrastructure to allow for
890 quick recovery after natural disasters, including hurricanes and
891 tropical storms.

892 (b) It is further the intent of the Legislature to promote
893 efficiency in state government across branches, agencies, and
894 other governmental entities and to identify any area of
895 improvement within each that allows for quick, effective
896 delivery of services.

897 (c) Further, the Legislature intends for the state to seek
898 out ways to improve its administrative procedures in relevant
899 fields to build a streamlined permitting process that withstands
900 disruptions caused by natural disasters, including hurricanes
901 and tropical storms.

902 (2) (a) The Department of Environmental Protection and water
903 management districts shall conduct a holistic review of their
904 current coastal permitting processes and other permit programs.
905 These permitting processes must include, but are not limited to,
906 coastal construction control line permits; joint coastal
907 permits; environmental resource permits; consistent with the
908 terms of the United States Environmental Protection Agency's
909 approval, state-administered section 404 permits; and permitting



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910 processes related to water supply infrastructure, wastewater
911 infrastructure, and onsite treatment and disposal systems.

912 (b) The scope and purpose of the review is to identify
913 areas of improvement and to increase efficiency within each
914 process. Factors that must be considered in the review include
915 the following:

916 1. The requirements to obtain a permit.

917 2. Time periods for review, including by commenting
918 agencies, and approval of the permit application.

919 3. Areas for improved efficiency and decision-point
920 consolidation within a single project's process.

921 4. Areas of duplication across one or more permit programs.

922 5. The methods of requesting permits.

923 6. Any other factors that may increase the efficiency of
924 the permitting processes and may allow improved storm recovery.

925 (c) By December 31, 2023, the department and water
926 management districts shall provide their findings and proposed
927 solutions in a report to the Governor, the President of the
928 Senate, and the Speaker of the House of Representatives.

929 Section 6. Subsection (1) of section 120.545, Florida
930 Statutes, is amended to read:

931 120.545 Committee review of agency rules.—

932 (1) As a legislative check on legislatively created
933 authority, the committee shall examine each existing rule and
934 proposed rule, except for those proposed rules exempted by s.
935 120.81(1)(e) and (2), and its accompanying material, and each
936 emergency rule, and may examine any existing rule, for the
937 purpose of determining whether:

938 (a) The rule is an invalid exercise of delegated



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939 legislative authority.

940 (b) The statutory authority for the rule has been repealed.

941 (c) The rule reiterates or paraphrases statutory material.

942 (d) The rule is in proper form.

943 (e) The notice given before ~~prior to~~ its adoption was
944 sufficient to give adequate notice of the purpose and effect of
945 the rule.

946 (f) The rule is consistent with expressed legislative
947 intent pertaining to the specific provisions of law which the
948 rule implements.

949 (g) The rule is necessary to accomplish the apparent or
950 expressed objectives of the specific provision of law which the
951 rule implements.

952 (h) The rule is a reasonable implementation of the law as
953 it affects the convenience of the general public or persons
954 particularly affected by the rule.

955 (i) The rule could be made less complex or more easily
956 comprehensible to the general public.

957 (j) The rule's statement of estimated regulatory costs
958 complies with the requirements of s. 120.541 and whether the
959 rule does not impose regulatory costs on the regulated person,
960 county, or city which could be reduced by the adoption of less
961 costly alternatives that substantially accomplish the statutory
962 objectives.

963 (k) The rule will require additional appropriations.

964 (l) If the rule is an emergency rule, there exists an
965 emergency justifying the adoption of such rule, the agency is
966 within its statutory authority, and the rule was adopted in
967 compliance with the requirements and limitations of s.



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968 120.54(4).

969 Section 7. Paragraphs (a), (b), and (c) of subsection (1)
970 of section 120.55, Florida Statutes, are amended to read:

971 120.55 Publication.—

972 (1) The Department of State shall:

973 (a)1. Through a continuous revision and publication system,
974 compile and publish electronically, on a website managed by the
975 department, the "Florida Administrative Code." The Florida
976 Administrative Code must ~~shall~~ contain all rules adopted by each
977 agency, citing the grant of rulemaking authority and the
978 specific law implemented pursuant to which each rule was
979 adopted, all history notes as authorized in s. 120.545(7),
980 complete indexes to all rules contained in the code, and any
981 other material required or authorized by law or deemed useful by
982 the department. The electronic code must ~~shall~~ display each rule
983 chapter currently in effect in browse mode and allow full text
984 search of the code and each rule chapter. The department may
985 contract with a publishing firm for a printed publication;
986 however, the department shall retain responsibility for the code
987 as provided in this section. The electronic publication is ~~shall~~
988 ~~be~~ the official compilation of the administrative rules of this
989 state. The Florida Administrative Register must be published
990 once each business day by 8 a.m., with the exception of state
991 holidays or emergency closures of state agencies. If a rule,
992 proposed rule, or notice of rule development is corrected and
993 replaced, the corrected rule or notice must be published in the
994 next available Florida Administrative Register with a notation
995 indicating that the rule, proposed rule, or notice has been
996 corrected by the Department of State. Any timeframes for



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997 rulemaking set forth in this chapter must revert to the initial
998 date of publication.

999

1000 The Department of State retains ~~shall retain~~ the copyright over
1001 the Florida Administrative Code.

1002 2. Not publish rules in the Florida Administrative Code
1003 which are general in form but applicable to only one school
1004 district, community college district, or county, or a part
1005 thereof, or state university rules relating to internal
1006 personnel or business and finance ~~shall not be published in the~~
1007 ~~Florida Administrative Code~~. Exclusion from publication in the
1008 Florida Administrative Code does ~~shall~~ not affect the validity
1009 or effectiveness of such rules.

1010 3. At the beginning of the section of the code dealing with
1011 an agency that files copies of its rules with the department,
1012 the agency ~~department~~ shall publish the address and telephone
1013 number of the executive offices of each agency, the manner by
1014 which the agency indexes its rules, a listing of all rules of
1015 that agency excluded from publication in the code, and a
1016 statement as to where those rules may be inspected.

1017 4. Not publish forms ~~shall not be published~~ in the Florida
1018 Administrative Code; but any form which an agency uses in its
1019 dealings with the public, along with any accompanying
1020 instructions, shall be filed with the committee before it is
1021 used. Any form or instruction which meets the definition of
1022 "rule" provided in s. 120.52 must ~~shall~~ be incorporated by
1023 reference into the appropriate rule. The reference must ~~shall~~
1024 specifically state that the form is being incorporated by
1025 reference and must ~~shall~~ include the number, title, and



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1026 effective date of the form and an explanation of how the form
1027 may be obtained. Each form created by an agency which is
1028 incorporated by reference in a rule notice of which is given
1029 under s. 120.54(3)(a) after December 31, 2007, must clearly
1030 display the number, title, and effective date of the form and
1031 the number of the rule in which the form is incorporated.

1032 5. Require all materials incorporated by reference in any
1033 part of an adopted rule and in any part of a repromulgated rule

1034 ~~The department shall allow adopted rules and material~~
1035 ~~incorporated by reference to be filed in the manner prescribed~~
1036 ~~by s. 120.54(1)(i)3.a. or b. electronic form as prescribed by~~
1037 ~~department rule.~~ When a proposed rule is filed for adoption or
1038 repromulgation with incorporated material in electronic form,
1039 the department's publication of the Florida Administrative Code
1040 on its website must contain a hyperlink from the incorporating
1041 reference in the rule directly to that material. The department
1042 may not allow hyperlinks from rules in the Florida
1043 Administrative Code to any material other than that filed with
1044 and maintained by the department, but may allow hyperlinks to
1045 incorporated material maintained by the department from the
1046 adopting agency's website or other sites.

1047 6. Include the date of any technical changes to a rule in
1048 the history note of the rule in the Florida Administrative Code.

1049 A technical change does not affect the effective date of the
1050 rule.

1051 (b) Electronically publish on a website managed by the
1052 department a continuous revision and publication entitled the
1053 "Florida Administrative Register," which shall serve as the
1054 official publication and must contain:



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1055 1. All notices required by s. 120.54(2) and (3)(a), showing
1056 the text of all rules proposed for consideration.

1057 2. All notices of public meetings, hearings, and workshops
1058 conducted in accordance with s. 120.525, including a statement
1059 of the manner in which a copy of the agenda may be obtained.

1060 3. A notice of each request for authorization to amend or
1061 repeal an existing uniform rule or for the adoption of new
1062 uniform rules.

1063 4. Notice of petitions for declaratory statements or
1064 administrative determinations.

1065 5. A summary of each objection to any rule filed by the
1066 Administrative Procedures Committee.

1067 6. A list of rules filed for adoption in the previous 7
1068 days.

1069 7. A list of all rules filed for adoption pending
1070 legislative ratification under s. 120.541(3). A rule shall be
1071 removed from the list once notice of ratification or withdrawal
1072 of the rule is received.

1073 8. The full text of each emergency rule in effect on the
1074 date of publication.

1075 9. Any other material required or authorized by law or
1076 deemed useful by the department.

1077
1078 The department may contract with a publishing firm for a printed
1079 publication of the Florida Administrative Register and make
1080 copies available on an annual subscription basis.

1081 (c) Prescribe by rule the style and form required for
1082 rules, notices, and other materials submitted for filing,
1083 including a rule requiring documents created by an agency which



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1084 are proposed to be incorporated by reference in notices
1085 published pursuant to s. 120.54(3) (a) and (d) to be coded in the
1086 same manner as notices published pursuant to s. 120.54(3) (a)1.

1087 Section 8. Paragraph (a) of subsection (2) of section
1088 120.56, Florida Statutes, is amended to read:

1089 120.56 Challenges to rules.—

1090 (2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.—

1091 (a) A petition alleging the invalidity of a proposed rule
1092 shall be filed within 21 days after the date of publication of
1093 the notice required by s. 120.54(3) (a); within 10 days after the
1094 final public hearing is held on the proposed rule as provided by
1095 s. 120.54(3) (e)2.; within 20 days after the statement of
1096 estimated regulatory costs or revised statement of estimated
1097 regulatory costs, if applicable, has been prepared and made
1098 available as provided in s. 120.541(1) (c) ~~s. 120.541(1) (d)~~; or
1099 within 20 days after the date of publication of the notice
1100 required by s. 120.54(3) (d). The petitioner has the burden to
1101 prove by a preponderance of the evidence that the petitioner
1102 would be substantially affected by the proposed rule. The agency
1103 then has the burden to prove by a preponderance of the evidence
1104 that the proposed rule is not an invalid exercise of delegated
1105 legislative authority as to the objections raised. A person who
1106 is not substantially affected by the proposed rule as initially
1107 noticed, but who is substantially affected by the rule as a
1108 result of a change, may challenge any provision of the resulting
1109 proposed rule.

1110 Section 9. Subsection (1) and paragraph (a) of subsection
1111 (2) of section 120.74, Florida Statutes, are amended to read:

1112 120.74 Agency annual rulemaking and regulatory plans;



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1113 reports.—

1114 (1) REGULATORY PLAN.—By October 1 of each year, each agency
1115 shall prepare a regulatory plan.

1116 (a) The plan must include a listing of each law enacted or
1117 amended during the previous 12 months which creates or modifies
1118 the duties or authority of the agency. If the Governor or the
1119 Attorney General provides a letter to the committee stating that
1120 a law affects all or most agencies, the agency may exclude the
1121 law from its plan. For each law listed by an agency under this
1122 paragraph, the plan must state:

1123 1. Whether the agency must adopt rules to implement the
1124 law.

1125 2. If rulemaking is necessary to implement the law:

1126 a. Whether a notice of rule development has been published
1127 and, if so, the citation to such notice in the Florida
1128 Administrative Register.

1129 b. The date by which the agency expects to publish the
1130 notice of proposed rule under s. 120.54(3)(a).

1131 3. If rulemaking is not necessary to implement the law, a
1132 concise written explanation of the reasons why the law may be
1133 implemented without rulemaking.

1134 (b) The plan must also identify and describe each rule,
1135 including each rule number or proposed rule number, that include
1136 a listing of each law not otherwise listed pursuant to paragraph
1137 (a) which the agency expects to develop, adopt, or repeal for
1138 the 12-month period beginning on October 1 and ending on
1139 September 30 implement by rulemaking before the following July
1140 1, excluding emergency rules except emergency rulemaking. For
1141 each rule ~~law~~ listed under this paragraph, the plan must state



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1142 whether the rulemaking is intended to simplify, clarify,
1143 increase efficiency, improve coordination with other agencies,
1144 reduce regulatory costs, or delete obsolete, unnecessary, or
1145 redundant rules.

1146 (c) The plan must include any desired update to the prior
1147 year's regulatory plan or supplement published pursuant to
1148 subsection (7). If, in a prior year, a law was identified under
1149 this paragraph or under subparagraph (a)1. as a law requiring
1150 rulemaking to implement but a notice of proposed rule has not
1151 been published:

1152 1. The agency must ~~shall~~ identify and again list such law,
1153 noting the applicable notice of rule development by citation to
1154 the Florida Administrative Register; or

1155 2. If the agency has subsequently determined that
1156 rulemaking is not necessary to implement the law, the agency
1157 must ~~shall~~ identify such law, reference the citation to the
1158 applicable notice of rule development in the Florida
1159 Administrative Register, and provide a concise written
1160 explanation of the reason why the law may be implemented without
1161 rulemaking.

1162 (d) The plan must identify any rules that are required to
1163 be repromulgated pursuant to s. 120.5435 for the 12-month period
1164 beginning on October 1 and ending on September 30.

1165 (e) The plan must include a certification executed on
1166 behalf of the agency by both the agency head, or, if the agency
1167 head is a collegial body, the presiding officer; and the
1168 individual acting as principal legal advisor to the agency head.
1169 The certification must declare:

1170 1. ~~Verify~~ That the persons executing the certification have



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1171 reviewed the plan.

1172 2. ~~Verify~~ That the agency regularly reviews all of its
1173 rules and identify the period during which all rules have most
1174 recently been reviewed to determine if the rules remain
1175 consistent with the agency's rulemaking authority and the laws
1176 implemented.

1177 3. That the agency understands that regulatory
1178 accountability is necessary to ensure public confidence in the
1179 integrity of state government and, to that end, the agency is
1180 diligently working toward lowering the total number of rules
1181 adopted.

1182 4. The total number of rules adopted and repealed during
1183 the previous 12 months.

1184 (2) PUBLICATION AND DELIVERY TO THE COMMITTEE.—

1185 (a) By October 1 of each year, each agency shall:

1186 1. Publish its regulatory plan on its website or on another
1187 state website established for publication of administrative law
1188 records. A clearly labeled hyperlink to the current plan must be
1189 included on the agency's primary website homepage.

1190 2. Electronically deliver to the committee a copy of the
1191 certification required in paragraph (1) (e) ~~(1) (d)~~.

1192 3. Publish in the Florida Administrative Register a notice
1193 identifying the date of publication of the agency's regulatory
1194 plan. The notice must include a hyperlink or website address
1195 providing direct access to the published plan.

1196 Section 10. Subsection (11) of section 120.80, Florida
1197 Statutes, is amended to read:

1198 120.80 Exceptions and special requirements; agencies.—

1199 (11) NATIONAL GUARD.—Notwithstanding s. 120.52(17) ~~s.~~



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1200 ~~120.52(16)~~, the enlistment, organization, administration,
1201 equipment, maintenance, training, and discipline of the militia,
1202 National Guard, organized militia, and unorganized militia, as
1203 provided by s. 2, Art. X of the State Constitution, are not
1204 rules as defined by this chapter.

1205 Section 11. Paragraph (c) of subsection (1) of section
1206 120.81, Florida Statutes, is amended to read:

1207 120.81 Exceptions and special requirements; general areas.—

1208 (1) EDUCATIONAL UNITS.—

1209 (c) Notwithstanding s. 120.52(17) ~~s. 120.52(16)~~, any tests,
1210 test scoring criteria, or testing procedures relating to student
1211 assessment which are developed or administered by the Department
1212 of Education pursuant to s. 1003.4282, s. 1008.22, or s.
1213 1008.25, or any other statewide educational tests required by
1214 law, are not rules.

1215 Section 12. Paragraph (a) of subsection (1) of section
1216 420.9072, Florida Statutes, is amended to read:

1217 420.9072 State Housing Initiatives Partnership Program.—The
1218 State Housing Initiatives Partnership Program is created for the
1219 purpose of providing funds to counties and eligible
1220 municipalities as an incentive for the creation of local housing
1221 partnerships, to expand production of and preserve affordable
1222 housing, to further the housing element of the local government
1223 comprehensive plan specific to affordable housing, and to
1224 increase housing-related employment.

1225 (1) (a) In addition to the legislative findings set forth in
1226 s. 420.6015, the Legislature finds that affordable housing is
1227 most effectively provided by combining available public and
1228 private resources to conserve and improve existing housing and



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1229 provide new housing for very-low-income households, low-income
1230 households, and moderate-income households. The Legislature
1231 intends to encourage partnerships in order to secure the
1232 benefits of cooperation by the public and private sectors and to
1233 reduce the cost of housing for the target group by effectively
1234 combining all available resources and cost-saving measures. The
1235 Legislature further intends that local governments achieve this
1236 combination of resources by encouraging active partnerships
1237 between government, lenders, builders and developers, real
1238 estate professionals, advocates for low-income persons, and
1239 community groups to produce affordable housing and provide
1240 related services. Extending the partnership concept to encompass
1241 cooperative efforts among small counties as defined in s.
1242 120.52(20) ~~s. 120.52(19)~~, and among counties and municipalities
1243 is specifically encouraged. Local governments are also intended
1244 to establish an affordable housing advisory committee to
1245 recommend monetary and nonmonetary incentives for affordable
1246 housing as provided in s. 420.9076.

1247 Section 13. Subsection (7) of section 420.9075, Florida
1248 Statutes, is amended to read:

1249 420.9075 Local housing assistance plans; partnerships.—

1250 (7) The moneys deposited in the local housing assistance
1251 trust fund shall be used to administer and implement the local
1252 housing assistance plan. The cost of administering the plan may
1253 not exceed 5 percent of the local housing distribution moneys
1254 and program income deposited into the trust fund. A county or an
1255 eligible municipality may not exceed the 5-percent limitation on
1256 administrative costs, unless its governing body finds, by
1257 resolution, that 5 percent of the local housing distribution



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1258 plus 5 percent of program income is insufficient to adequately
1259 pay the necessary costs of administering the local housing
1260 assistance plan. The cost of administering the program may not
1261 exceed 10 percent of the local housing distribution plus 5
1262 percent of program income deposited into the trust fund, except
1263 that small counties, as defined in s. 120.52(20) ~~s. 120.52(19)~~,
1264 and eligible municipalities receiving a local housing
1265 distribution of up to \$350,000 may use up to 10 percent of
1266 program income for administrative costs.

1267 Section 14. Paragraph (d) of subsection (1) of section
1268 443.091, Florida Statutes, is amended to read:

1269 443.091 Benefit eligibility conditions.—

1270 (1) An unemployed individual is eligible to receive
1271 benefits for any week only if the Department of Economic
1272 Opportunity finds that:

1273 (d) She or he is able to work and is available for work. In
1274 order to assess eligibility for a claimed week of unemployment,
1275 the department shall develop criteria to determine a claimant's
1276 ability to work and availability for work. A claimant must be
1277 actively seeking work in order to be considered available for
1278 work. This means engaging in systematic and sustained efforts to
1279 find work, including contacting at least five prospective
1280 employers for each week of unemployment claimed. The department
1281 may require the claimant to provide proof of such efforts to the
1282 one-stop career center as part of reemployment services. A
1283 claimant's proof of work search efforts may not include the same
1284 prospective employer at the same location in 3 consecutive
1285 weeks, unless the employer has indicated since the time of the
1286 initial contact that the employer is hiring. The department



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1287 shall conduct random reviews of work search information provided
1288 by claimants. As an alternative to contacting at least five
1289 prospective employers for any week of unemployment claimed, a
1290 claimant may, for that same week, report in person to a one-stop
1291 career center to meet with a representative of the center and
1292 access reemployment services of the center. The center shall
1293 keep a record of the services or information provided to the
1294 claimant and shall provide the records to the department upon
1295 request by the department. However:

1296 1. Notwithstanding any other provision of this paragraph or
1297 paragraphs (b) and (e), an otherwise eligible individual may not
1298 be denied benefits for any week because she or he is in training
1299 with the approval of the department, or by reason of s.
1300 443.101(2) relating to failure to apply for, or refusal to
1301 accept, suitable work. Training may be approved by the
1302 department in accordance with criteria prescribed by rule. A
1303 claimant's eligibility during approved training is contingent
1304 upon satisfying eligibility conditions prescribed by rule.

1305 2. Notwithstanding any other provision of this chapter, an
1306 otherwise eligible individual who is in training approved under
1307 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
1308 determined ineligible or disqualified for benefits due to
1309 enrollment in such training or because of leaving work that is
1310 not suitable employment to enter such training. As used in this
1311 subparagraph, the term "suitable employment" means work of a
1312 substantially equal or higher skill level than the worker's past
1313 adversely affected employment, as defined for purposes of the
1314 Trade Act of 1974, as amended, the wages for which are at least
1315 80 percent of the worker's average weekly wage as determined for



1316 purposes of the Trade Act of 1974, as amended.

1317 3. Notwithstanding any other provision of this section, an
1318 otherwise eligible individual may not be denied benefits for any
1319 week because she or he is before any state or federal court
1320 pursuant to a lawfully issued summons to appear for jury duty.

1321 4. Union members who customarily obtain employment through
1322 a union hiring hall may satisfy the work search requirements of
1323 this paragraph by reporting daily to their union hall.

1324 5. The work search requirements of this paragraph do not
1325 apply to persons who are unemployed as a result of a temporary
1326 layoff or who are claiming benefits under an approved short-time
1327 compensation plan as provided in s. 443.1116.

1328 6. In small counties as defined in s. 120.52(20) ~~s.~~
1329 ~~120.52(19)~~, a claimant engaging in systematic and sustained
1330 efforts to find work must contact at least three prospective
1331 employers for each week of unemployment claimed.

1332 7. The work search requirements of this paragraph do not
1333 apply to persons required to participate in reemployment
1334 services under paragraph (e).

1335 Section 15. This act shall take effect July 1, 2023.

1336
1337 ===== T I T L E A M E N D M E N T =====

1338 And the title is amended as follows:

1339 Delete everything before the enacting clause
1340 and insert:

1341 A bill to be entitled
1342 An act relating to administrative procedures; amending
1343 s. 120.52, F.S.; defining the terms "repromulgation"
1344 and "technical change"; amending s. 120.54, F.S.;



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1345 applying certain provisions applicable to all rules
1346 other than emergency rules to rules amended or
1347 repromulgated after a specified date; requiring
1348 agencies to publish a certain notice of rule
1349 development in the Florida Administrative Register
1350 within a specified timeframe before providing
1351 specified notice of a proposed rule; requiring that a
1352 notice of rule development cite the grant of
1353 rulemaking authority; requiring that a notice of rule
1354 development contain a proposed rule number and
1355 specified statements; requiring that notice of a
1356 proposed rule be published in the Florida
1357 Administrative Register within a specified timeframe
1358 after the most recent notice of rule development;
1359 revising the scope of public workshops to include
1360 information gathered for the preparation of statements
1361 of estimated regulatory costs; requiring that a notice
1362 of proposed rule include a website address where a
1363 statement of regulatory costs can be viewed; requiring
1364 that a notice of proposed rule include a request for
1365 the submission of any helpful information regarding
1366 the statement of estimated regulatory costs; requiring
1367 that material proposed to be incorporated by reference
1368 and the statement of estimated regulatory costs be
1369 made available to the public; requiring that material
1370 proposed to be incorporated by reference be made
1371 available in a specified manner; authorizing
1372 electronic delivery of notices to persons who have
1373 requested advance notice of agency rulemaking



1374 proceedings; requiring an agency to prepare a
1375 statement of estimated regulatory costs before
1376 adopting or amending any rule other than an emergency
1377 rule; providing that an agency is not required to
1378 prepare a statement of estimated regulatory costs
1379 before repealing a rule; providing an exception;
1380 requiring that certain rule repeals be considered
1381 presumptively correct in a proceeding before the
1382 Division of Administrative Hearings or a court of
1383 competent jurisdiction; revising the criteria under
1384 which a proposed rule's adverse impact on small
1385 businesses is deemed to exist; requiring an agency to
1386 provide notice of a regulatory alternative to the
1387 Administrative Procedures Committee within a certain
1388 timeframe; requiring certain agency personnel to
1389 attend public hearings on proposed rules; requiring an
1390 agency to publish a notice of convening a separate
1391 proceeding in certain circumstances; providing that
1392 rulemaking timelines are tolled during such separate
1393 proceedings; providing that such timelines resume the
1394 day after the conclusion of such proceedings;
1395 requiring that notice of conclusion of such
1396 proceedings be provided to the committee; revising the
1397 requirements for the contents of a notice of change;
1398 requiring the committee to notify the Department of
1399 State that the date for an agency to adopt a proposed
1400 rule has expired under certain circumstances;
1401 requiring the department to publish a notice of
1402 withdrawal under certain circumstances; requiring the



1403 agency, upon approval of the agency head, to
1404 electronically file with the department a certified
1405 copy of the proposed rule; requiring the committee to
1406 notify the department that the agency has failed to
1407 withdraw a rule within a specified timeframe;
1408 requiring the department to publish a notice of
1409 withdrawal of the rule; prohibiting an emergency rule
1410 from being effective for longer than a specified
1411 timeframe; providing that such rule is not renewable;
1412 providing an exception; requiring that emergency rules
1413 be published in the Florida Administrative Code;
1414 authorizing agencies to supersede an emergency rule
1415 through adoption of another emergency rule; providing
1416 the requirements for adopting the new rule;
1417 authorizing an agency to make technical changes to an
1418 emergency rule during a specified timeframe; requiring
1419 that notice of renewal of an emergency rule be
1420 published in the Florida Administrative Register
1421 before the expiration of the existing rule; requiring
1422 that the notice state specified facts and reasons;
1423 requiring that emergency rules be published in a
1424 certain section of the Florida Administrative Code;
1425 requiring specified emergency rules to contain a
1426 certain history note; providing that certain emergency
1427 rules may be repealed at any time while the emergency
1428 rule is in effect by publishing a certain notice in
1429 the Florida Administrative Register; requiring an
1430 agency to file a copy of a certain petition with the
1431 committee; making technical changes; amending s.



1432 120.541, F.S.; requiring an agency to provide a copy
1433 of a proposal for a lower cost regulatory alternative
1434 to the committee within a certain timeframe;
1435 specifying the circumstances under which such proposal
1436 is deemed to be made in good faith; revising
1437 requirements for an agency's consideration of a lower
1438 cost regulatory alternative; providing for an agency's
1439 revision and publication of a revised statement of
1440 estimated regulatory costs in response to such
1441 alternatives; requiring that the revised statement of
1442 estimated regulatory costs be made available in the
1443 same manner as the original; deleting the definition
1444 of the term "transactional costs"; revising the
1445 applicability of specified provisions; providing
1446 additional requirements for the calculation of
1447 estimated regulatory costs; making technical changes;
1448 conforming provisions to changes made by the act;
1449 conforming a cross-reference; creating s. 120.5435,
1450 F.S.; providing legislative intent; requiring agency
1451 review of rules and repromulgation of rules that do
1452 not require substantive changes within a specified
1453 timeframe; requiring that such rules be reviewed
1454 periodically; requiring the agency to publish any
1455 variation from this schedule in the agency's
1456 regulatory plan; requiring the committee to provide
1457 each agency with a specified list; providing that the
1458 failure of an agency to adhere to specified deadlines
1459 constitutes a material failure and is the basis for a
1460 specified objection; requiring an agency to publish a



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1461 notice of repromulgation in the Florida Administrative
1462 Register and file a rule for repromulgation with the
1463 department within a specified timeframe; requiring an
1464 agency to file a notice of repromulgation with the
1465 committee within a specified timeframe; requiring the
1466 committee to certify if the agency has provided
1467 certain responses to the committee; providing that a
1468 repromulgated rule is not subject to challenge as a
1469 proposed rule and that certain hearing requirements do
1470 not apply; requiring an agency to electronically file
1471 a certified copy of a proposed repromulgated rule and
1472 any material incorporated by reference; providing that
1473 a rule is considered repromulgated upon filing with
1474 the department; requiring the department to update
1475 certain information in the Florida Administrative
1476 Code; requiring the committee to submit a specified
1477 list to the Legislature, within a specified timeframe;
1478 requiring the agency to initiate rulemaking
1479 proceedings to repeal certain rules within a specified
1480 timeframe if certain conditions exist; requiring the
1481 department to adopt rules by a certain date; creating
1482 s. 120.5436, F.S.; providing legislative intent;
1483 requiring the Department of Environmental Protection
1484 and water management districts to conduct a holistic
1485 review of certain permitting processes and programs;
1486 providing the scope and purpose of the review;
1487 providing the factors the department and districts
1488 must consider when conducting the review; requiring
1489 the department and districts to submit a specified



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1490 report to the Governor and Legislature by a specified
1491 date; amending s. 120.545, F.S.; requiring the
1492 committee to examine certain existing rules; amending
1493 s. 120.55, F.S.; requiring the Department of State to
1494 publish the Florida Administrative Register once each
1495 business day by a specified time; providing
1496 exceptions; requiring the department to indicate if a
1497 rule, proposed rule, or notice of rule development was
1498 corrected or replaced by republishing the register and
1499 noting the rule, proposed rule, or notice of rule
1500 development was corrected; requiring that certain
1501 rulemaking timeframes revert to the initial date of
1502 publication; requiring the agency, rather than the
1503 department, to publish specified information at the
1504 beginning of specified sections of the code; requiring
1505 that materials incorporated by reference be filed in a
1506 specified manner; requiring the department to include
1507 the date of a technical rule change in the Florida
1508 Administrative Code; providing that a technical change
1509 does not affect the effective date of a rule; revising
1510 the required contents of the Florida Administrative
1511 Register; requiring the department to adopt specified
1512 rules; amending s. 120.56, F.S.; conforming a cross-
1513 reference; amending s. 120.74, F.S.; requiring an
1514 agency to list each rule it plans to develop, adopt,
1515 or repeal during the forthcoming year in the agency's
1516 annual regulatory plan; requiring that an agency's
1517 annual regulatory plan identify any rules required to
1518 be repromulgated during the forthcoming year;



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1519 requiring the agency to make certain declarations
1520 concerning the annual regulatory plan; amending ss.
1521 120.80, 120.81, 420.9072, 420.9075, and 443.091, F.S.;
1522 conforming cross-references; providing an effective
1523 date.