

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Rulemaking Oversight &
 2 Repeal Subcommittee
 3 Representative Eisnaugle offered the following:
 4

Amendment (with title amendment)

Remove lines 215-221 and insert:

7 Section 3. Section 120.533, Florida Statutes, is amended
 8 to read:

9 120.533 Coordination of transmitting, indexing, and
 10 listing of final orders by Department of State.—The Department
 11 of State shall:

12 (1) Administer the coordination of the transmitting,
 13 indexing, management, preservation, and availability of agency
 14 orders that must be transmitted, indexed or listed pursuant to
 15 s. 120.53 s. 120.53(1).

16 (2) Provide, ~~by rule,~~ guidelines for the indexing of
 17 agency orders. More than one system for indexing may be approved

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18 by the Department of State, including systems or methods in use,
19 or proposed for use, by an agency. More than one system may be
20 approved for use by a single agency as best serves the needs of
21 that agency and the public.

22 (3) ~~Provide, by rule,~~ for storage and retrieval systems to
23 be maintained by agencies for indexing, and making available,
24 agency orders by subject matter that must be maintained pursuant
25 to s. 120.53(5). The Department of State may ~~approve~~ authorize
26 more than one system, including systems in use, ~~or proposed for~~
27 ~~use,~~ by an agency. Storage and retrieval systems that may be
28 used by an agency include, without limitation, a designated
29 reporter or reporters, a microfilming system, an automated
30 system, or any other system considered appropriate by the
31 Department of State.

32 (4) Provide standards and guidelines for the certification
33 and electronic transmittal of copies of final agency orders to
34 the division as required pursuant to s. 120.53, and coordinate
35 and provide standards and guidelines for the security of
36 transmittal to and maintenance of orders in the electronic
37 database maintained by the division for the purposes described
38 in s. 120.53(1), sufficient to assure the integrity and
39 authenticity of information publicly accessible through the
40 database.

41 (5) Determine which final orders must be indexed, or
42 transmitted for each agency.

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43 ~~(5)~~(6) Require each agency to report to the department
44 concerning which types or categories of agency orders establish
45 precedent for each agency.

46 (7) The Department of State may adopt rules necessary to
47 administer its responsibilities under this section, which shall
48 be binding on all agencies including the division acting in a
49 capacity as official compiler of administrative final orders
50 under s. 120.53, notwithstanding s. 120.65. The Department of
51 State may provide for an alternative official compiler to manage
52 and operate the division's database and related services in the
53 event that the Administration Commission determines that the
54 performance of the division as official compiler is
55 unsatisfactory.

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

59 Remove lines 21-22 and insert:
60 indexing, and publishing final orders; amending s. 120.533,
61 F.S.; conforming s. provisions to changes made by the act,
62 authorizing standards and guidelines for verification or
63 certification and secure transmittal and maintenance of agency
64 final orders, authorizing the Department of State to adopt
65 rules, authorizing an alternative official compiler of agency
66 final orders upon a determination by the Administration
67 Commission; amending s. 213.22, F.S.; conforming cross-
68 references;