

By the Committee on Environment and Natural Resources; and
Senators Grall and Hooper

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1 A bill to be entitled
2 An act relating to administrative procedures; amending
3 s. 120.52, F.S.; defining the terms "repromulgation"
4 and "technical change"; amending s. 120.54, F.S.;
5 applying certain provisions applicable to all rules
6 other than emergency rules to rules amended or
7 repromulgated after a specified date; requiring
8 agencies to publish a certain notice of rule
9 development in the Florida Administrative Register
10 within a specified timeframe before providing
11 specified notice of a proposed rule; requiring that a
12 notice of rule development cite the grant of
13 rulemaking authority; requiring that a notice of rule
14 development contain a proposed rule number and
15 specified statements; requiring that notice of a
16 proposed rule be published in the Florida
17 Administrative Register within a specified timeframe
18 after the most recent notice of rule development;
19 revising the scope of public workshops to include
20 information gathered for the preparation of statements
21 of estimated regulatory costs; requiring that a notice
22 of proposed rule include a website address where a
23 statement of regulatory costs can be viewed; requiring
24 that a notice of proposed rule include a request for
25 the submission of any helpful information regarding
26 the statement of estimated regulatory costs; requiring
27 that material proposed to be incorporated by reference
28 and the statement of estimated regulatory costs be
29 made available to the public; requiring that material

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30 proposed to be incorporated by reference be made
31 available in a specified manner; authorizing
32 electronic delivery of notices to persons who have
33 requested advance notice of agency rulemaking
34 proceedings; requiring an agency to prepare a
35 statement of estimated regulatory costs before
36 adopting or amending any rule other than an emergency
37 rule; providing that an agency is not required to
38 prepare a statement of estimated regulatory costs
39 before repealing a rule; providing an exception;
40 requiring that certain rule repeals be considered
41 presumptively correct in a proceeding before the
42 Division of Administrative Hearings or a court of
43 competent jurisdiction; revising the criteria under
44 which a proposed rule's adverse impact on small
45 businesses is deemed to exist; requiring an agency to
46 provide notice of a regulatory alternative to the
47 Administrative Procedures Committee within a certain
48 timeframe; requiring certain agency personnel to
49 attend public hearings on proposed rules; requiring an
50 agency to publish a notice of convening a separate
51 proceeding in certain circumstances; providing that
52 rulemaking timelines are tolled during such separate
53 proceedings; providing that such timelines resume the
54 day after the conclusion of such proceedings;
55 requiring that notice of conclusion of such
56 proceedings be provided to the committee; revising the
57 requirements for the contents of a notice of change;
58 requiring the committee to notify the Department of

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59 State that the date for an agency to adopt a proposed
60 rule has expired under certain circumstances;
61 requiring the department to publish a notice of
62 withdrawal under certain circumstances; requiring the
63 agency, upon approval of the agency head, to
64 electronically file with the department a certified
65 copy of the proposed rule; requiring the committee to
66 notify the department that the agency has failed to
67 withdraw a rule within a specified timeframe;
68 requiring the department to publish a notice of
69 withdrawal of the rule; prohibiting an emergency rule
70 from being effective for longer than a specified
71 timeframe; providing that such rule is not renewable;
72 providing an exception; requiring that emergency rules
73 be published in the Florida Administrative Code;
74 authorizing agencies to supersede an emergency rule
75 through adoption of another emergency rule; providing
76 the requirements for adopting the new rule;
77 authorizing an agency to make technical changes to an
78 emergency rule during a specified timeframe; requiring
79 that notice of renewal of an emergency rule be
80 published in the Florida Administrative Register
81 before the expiration of the existing rule; requiring
82 that the notice state specified facts and reasons;
83 requiring that emergency rules be published in a
84 certain section of the Florida Administrative Code;
85 requiring specified emergency rules to contain a
86 certain history note; providing that certain emergency
87 rules may be repealed at any time while the emergency

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88 rule is in effect by publishing a certain notice in
89 the Florida Administrative Register; requiring an
90 agency to file a copy of a certain petition with the
91 committee; making technical changes; amending s.
92 120.541, F.S.; requiring an agency to provide a copy
93 of a proposal for a lower cost regulatory alternative
94 to the committee within a certain timeframe;
95 specifying the circumstances under which such proposal
96 is deemed to be made in good faith; revising
97 requirements for an agency's consideration of a lower
98 cost regulatory alternative; providing for an agency's
99 revision and publication of a revised statement of
100 estimated regulatory costs in response to such
101 alternatives; requiring that the revised statement of
102 estimated regulatory costs be made available in the
103 same manner as the original; deleting the definition
104 of the term "transactional costs"; revising the
105 applicability of specified provisions; providing
106 additional requirements for the calculation of
107 estimated regulatory costs; making technical changes;
108 conforming provisions to changes made by the act;
109 conforming a cross-reference; creating s. 120.5435,
110 F.S.; providing legislative intent; requiring agency
111 review of rules and repromulgation of rules that do
112 not require substantive changes within a specified
113 timeframe; requiring that such rules be reviewed
114 periodically; requiring the agency to publish any
115 variation from this schedule in the agency's
116 regulatory plan; requiring the committee to provide

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117 each agency with a specified list; providing that the
118 failure of an agency to adhere to specified deadlines
119 constitutes a material failure and is the basis for a
120 specified objection; requiring an agency to publish a
121 notice of repromulgation in the Florida Administrative
122 Register and file a rule for repromulgation with the
123 department within a specified timeframe; requiring an
124 agency to file a notice of repromulgation with the
125 committee within a specified timeframe; requiring the
126 committee to certify if the agency has provided
127 certain responses to the committee; providing that a
128 repromulgated rule is not subject to challenge as a
129 proposed rule and that certain hearing requirements do
130 not apply; requiring an agency to electronically file
131 a certified copy of a proposed repromulgated rule and
132 any material incorporated by reference; providing that
133 a rule is considered repromulgated upon filing with
134 the department; requiring the department to update
135 certain information in the Florida Administrative
136 Code; requiring the committee to submit a specified
137 list to the Legislature, within a specified timeframe;
138 requiring the agency to initiate rulemaking
139 proceedings to repeal certain rules within a specified
140 timeframe if certain conditions exist; requiring the
141 department to adopt rules by a certain date; creating
142 s. 120.5436, F.S.; providing legislative intent;
143 requiring the Department of Environmental Protection
144 and water management districts to conduct a holistic
145 review of certain permitting processes and programs;

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146 providing the scope and purpose of the review;
147 providing the factors the department and districts
148 must consider when conducting the review; requiring
149 the department and districts to submit a specified
150 report to the Governor and Legislature by a specified
151 date; amending s. 120.545, F.S.; requiring the
152 committee to examine certain existing rules; amending
153 s. 120.55, F.S.; requiring the Department of State to
154 publish the Florida Administrative Register once each
155 business day by a specified time; providing
156 exceptions; requiring the department to indicate if a
157 rule, proposed rule, or notice of rule development was
158 corrected or replaced by republishing the register and
159 noting the rule, proposed rule, or notice of rule
160 development was corrected; requiring that certain
161 rulemaking timeframes revert to the initial date of
162 publication; requiring the agency, rather than the
163 department, to publish specified information at the
164 beginning of specified sections of the code; requiring
165 that materials incorporated by reference be filed in a
166 specified manner; requiring the department to include
167 the date of a technical rule change in the Florida
168 Administrative Code; providing that a technical change
169 does not affect the effective date of a rule; revising
170 the required contents of the Florida Administrative
171 Register; requiring the department to adopt specified
172 rules; amending s. 120.56, F.S.; conforming a cross-
173 reference; amending s. 120.74, F.S.; requiring an
174 agency to list each rule it plans to develop, adopt,

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175 or repeal during the forthcoming year in the agency's
176 annual regulatory plan; requiring that an agency's
177 annual regulatory plan identify any rules required to
178 be repromulgated during the forthcoming year;
179 requiring the agency to make certain declarations
180 concerning the annual regulatory plan; amending ss.
181 120.80, 120.81, 420.9072, 420.9075, and 443.091, F.S.;
182 conforming cross-references; providing an effective
183 date.

184
185 Be It Enacted by the Legislature of the State of Florida:

186
187 Section 1. Present subsections (16) through (19) and (20),
188 (21), and (22) of section 120.52, Florida Statutes, are
189 redesignated as subsections (17) through (20) and (22), (23),
190 and (24), respectively, and new subsections (16) and (21) are
191 added to that section, to read:

192 120.52 Definitions.—As used in this act:

193 (16) "Repromulgation" means the publication and adoption of
194 an existing rule following an agency's review of the rule for
195 consistency with the powers and duties granted by its enabling
196 statute.

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

200 Section 2. Paragraph (i) of subsection (1), subsections (2)
201 and (3), paragraph (c) of subsection (4), and paragraph (a) of
202 subsection (7) of section 120.54, Florida Statutes, are amended,
203 and paragraphs (e) through (j) are added to subsection (4) of

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204 that section, to read:

205 120.54 Rulemaking.—

206 (1) GENERAL PROVISIONS APPLICABLE TO ALL RULES OTHER THAN
207 EMERGENCY RULES.—

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

212 2. An agency rule that incorporates by specific reference
213 another rule of that agency automatically incorporates
214 subsequent amendments to the referenced rule unless a contrary
215 intent is clearly indicated in the referencing rule. A notice of
216 amendments to a rule that has been incorporated by specific
217 reference in other rules of that agency must explain the effect
218 of those amendments on the referencing rules.

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

222 a. The material has been submitted in the prescribed
223 electronic format to the Department of State and the full text
224 of the material can be made available for free public access
225 through an electronic hyperlink from the rule making the
226 reference in the Florida Administrative Code; or

227 b. The agency has determined that posting the material on
228 the Internet for purposes of public examination and inspection
229 would constitute a violation of federal copyright law, in which
230 case a statement to that effect, along with the address of
231 locations at the Department of State and the agency at which the
232 material is available for public inspection and examination,

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233 must be included in the notice required by subparagraph (3)(a)1.

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

237 5. Notwithstanding any contrary provision in this section,
238 when an adopted rule of the Department of Environmental
239 Protection or a water management district is incorporated by
240 reference in the other agency's rule to implement a provision of
241 part IV of chapter 373, subsequent amendments to the rule are
242 not effective as to the incorporating rule unless the agency
243 incorporating by reference notifies the committee and the
244 Department of State of its intent to adopt the subsequent
245 amendment, publishes notice of such intent in the Florida
246 Administrative Register, and files with the Department of State
247 a copy of the amended rule incorporated by reference. Changes in
248 the rule incorporated by reference are effective as to the other
249 agency 20 days after the date of the published notice and filing
250 with the Department of State. The Department of State shall
251 amend the history note of the incorporating rule to show the
252 effective date of such change. Any substantially affected person
253 may, within 14 days after the date of publication of the notice
254 of intent in the Florida Administrative Register, file an
255 objection to rulemaking with the agency. The objection must
256 ~~shall~~ specify the portions of the rule incorporated by reference
257 to which the person objects and the reasons for the objection.
258 The agency does ~~shall~~ not have the authority under this
259 subparagraph to adopt those portions of the rule specified in
260 such objection. The agency shall publish notice of the objection
261 and of its action in response in the next available issue of the

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262 Florida Administrative Register.

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

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

266 (a) 1. Except when the intended action is the repeal of a
267 rule, agencies shall provide notice of the development of
268 proposed rules by publication of a notice of rule development in
269 the Florida Administrative Register at least 7 days before
270 providing notice of a proposed rule as required by paragraph

271 (3) (a). The notice of rule development must ~~shall~~ indicate the
272 subject area to be addressed by rule development, provide a
273 short, plain explanation of the purpose and effect of the
274 proposed rule, cite the grant of rulemaking authority for the
275 proposed rule and the law being implemented ~~specific legal~~
276 ~~authority for the proposed rule~~, and include the proposed rule
277 number and the preliminary text of the proposed rules, if
278 available, or a statement of how a person may promptly obtain,
279 without cost, a copy of any preliminary draft, when if
280 available. The notice must also include a request for the
281 submission of any information that would be helpful to the
282 agency in preparing the statement of estimated regulatory costs
283 required pursuant to paragraph (3) (b) and a statement of how a
284 person may submit comments on the proposal and how a person may
285 provide information regarding the potential regulatory costs.

286 2. A notice of a proposed rule must be published in the
287 Florida Administrative Register within 12 months after the most
288 recent notice of rule development.

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

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

293 2. ~~It~~ Avoids the use of unnecessary technical or
294 specialized language that is understood only by members of
295 particular trades or professions.

296 (c) An agency may hold public workshops for purposes of
297 rule development and information gathering for the preparation
298 of the statement of estimated regulatory costs. If requested in
299 writing by any affected person, an agency must hold public
300 workshops, including workshops in various regions of this ~~the~~
301 state or the agency's service area, for purposes of rule
302 development and information gathering for the preparation of the
303 statement of estimated regulatory costs ~~if requested in writing~~
304 ~~by any affected person,~~ unless the agency head explains in
305 writing why a workshop is unnecessary. The explanation is not
306 final agency action subject to review pursuant to ss. 120.569
307 and 120.57. The failure to provide the explanation when required
308 may be a material error in procedure pursuant to s.
309 120.56(1)(c). When a workshop or public hearing is held, the
310 agency must ensure that the persons responsible for preparing
311 the proposed rule and the statement of estimated regulatory
312 costs are available to receive public input, to explain the
313 agency's proposal, and to respond to questions or comments
314 regarding the rule being developed and the statement of
315 estimated regulatory costs. The workshop may be facilitated or
316 mediated by a neutral third person, or the agency may employ
317 other types of dispute resolution alternatives for the workshop
318 that are appropriate for rule development and for preparation of
319 the statement of estimated regulatory costs. Notice of a

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320 workshop for rule development and for preparation of the
321 statement of estimated regulatory costs must ~~workshop shall~~ be
322 by publication in the Florida Administrative Register not less
323 than 14 days before ~~prior to~~ the date on which the workshop is
324 scheduled to be held and must ~~shall~~ indicate the subject area
325 that ~~which~~ will be addressed; the agency contact person; and the
326 place, date, and time of the workshop.

327 (d)1. An agency may use negotiated rulemaking in developing
328 and adopting rules. The agency should consider the use of
329 negotiated rulemaking when complex rules are being drafted or
330 strong opposition to the rules is anticipated. The agency should
331 consider, but is not limited to considering, whether a balanced
332 committee of interested persons who will negotiate in good faith
333 can be assembled, whether the agency is willing to support the
334 work of the negotiating committee, and whether the agency can
335 use the group consensus as the basis for its proposed rule.
336 Negotiated rulemaking uses a committee of designated
337 representatives to draft a mutually acceptable proposed rule and
338 to develop information necessary to prepare a statement of
339 estimated regulatory costs, when applicable.

340 2. An agency that chooses to use the negotiated rulemaking
341 process described in this paragraph shall publish in the Florida
342 Administrative Register a notice of negotiated rulemaking that
343 includes a listing of the representative groups that will be
344 invited to participate in the negotiated rulemaking process. Any
345 person who believes that his or her interest is not adequately
346 represented may apply to participate within 30 days after
347 publication of the notice. All meetings of the negotiating
348 committee must ~~shall~~ be noticed and open to the public pursuant

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349 to ~~the provisions of~~ this chapter. The negotiating committee
350 shall be chaired by a neutral facilitator or mediator.

351 3. The agency's decision to use negotiated rulemaking, its
352 selection of the representative groups, and approval or denial
353 of an application to participate in the negotiated rulemaking
354 process are not agency action. ~~Nothing in~~ This subparagraph is
355 not intended to affect the rights of a substantially an affected
356 person to challenge a proposed rule developed under this
357 paragraph in accordance with s. 120.56(2).

358 (3) ADOPTION PROCEDURES.—

359 (a) *Notices.*—

360 1. Before ~~Prior to~~ the adoption, amendment, or repeal of
361 any rule other than an emergency rule, an agency, upon approval
362 of the agency head, shall give notice of its intended action,
363 setting forth a short, plain explanation of the purpose and
364 effect of the proposed action; the proposed rule number and full
365 text of the proposed rule or amendment and a summary thereof; a
366 reference to the grant of rulemaking authority pursuant to which
367 the rule is adopted; and a reference to the section or
368 subsection of the Florida Statutes or the Laws of Florida being
369 implemented or interpreted. The notice must include a concise
370 summary of the agency's statement of the estimated regulatory
371 costs, if one has been prepared, based on the factors set forth
372 in s. 120.541(2), which describes the regulatory impact of the
373 rule in readable language; an agency website address where the
374 statement of estimated regulatory costs can be viewed in its
375 entirety; a statement that any person who wishes to provide the
376 agency with information regarding the statement of estimated
377 regulatory costs, or to provide a proposal for a lower cost

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378 regulatory alternative as provided by s. 120.541(1), must do so
379 in writing within 21 days after publication of the notice; a
380 request for the submission of any information that could be
381 helpful to the agency regarding the statement of estimated
382 regulatory costs; and a statement as to whether, based on the
383 statement of the estimated regulatory costs ~~or other information~~
384 ~~expressly relied upon and described by the agency if no~~
385 ~~statement of regulatory costs is required,~~ the proposed rule is
386 expected to require legislative ratification pursuant to s.
387 120.541(3). The notice must state the procedure for requesting a
388 public hearing on the proposed rule. Except when the intended
389 action is the repeal of a rule, the notice must include a
390 reference both to the date on which and to the place where the
391 notice of rule development that is required by subsection (2)
392 appeared.

393 2. The notice must ~~shall~~ be published in the Florida
394 Administrative Register at least not less than 28 days before
395 ~~prior to~~ the intended action. The proposed rule, including all
396 materials proposed to be incorporated by reference and the
397 statement of estimated regulatory costs, must ~~shall~~ be available
398 for inspection and copying by the public at the time of the
399 publication of notice. Material proposed to be incorporated by
400 reference in the notice must be made available in the manner
401 prescribed by sub-subparagraph (1)(i)3.a. or sub-subparagraph
402 (1)(i)3.b.

403 3. The notice must ~~shall~~ be mailed or delivered
404 electronically to all persons named in the proposed rule and
405 mailed or delivered electronically to all persons who, at least
406 14 days before publication of the notice ~~prior to such mailing,~~

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407 have made requests of the agency for advance notice of its
408 proceedings. The agency shall also give such notice as is
409 prescribed by rule to those particular classes of persons to
410 whom the intended action is directed.

411 4. The adopting agency shall file with the committee, at
412 least 21 days before ~~prior to~~ the proposed adoption date, a copy
413 of each rule it proposes to adopt; a copy of any material
414 incorporated by reference in the rule; a detailed written
415 statement of the facts and circumstances justifying the proposed
416 rule; a copy of the ~~any~~ statement of estimated regulatory costs
417 ~~that has been~~ prepared pursuant to s. 120.541; a statement of
418 the extent to which the proposed rule relates to federal
419 standards or rules on the same subject; and the notice required
420 by subparagraph 1.

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

422 1. Statement of estimated regulatory costs.—Before the
423 adoption or, amendment, ~~or repeal~~ of any rule, other than an
424 emergency rule, an agency must ~~is encouraged to~~ prepare a
425 statement of estimated regulatory costs of the proposed rule, as
426 provided by s. 120.541. However, an agency is not required to
427 prepare a statement of estimated regulatory costs for a proposed
428 rule repeal unless such repeal would impose a regulatory cost.
429 In any challenge to a proposed rule repeal, a proposed rule
430 repeal that only reduces or eliminates regulations on those
431 individuals or entities regulated by the existing rule must be
432 considered presumptively correct in any proceeding before the
433 division or in any proceeding before a court of competent
434 jurisdiction ~~However, an agency must prepare a statement of~~
435 ~~estimated regulatory costs of the proposed rule, as provided by~~

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436 ~~s. 120.541, if:~~

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

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

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

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

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

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

453 (III) Prices charged for goods and services are restricted
454 or are likely to increase because of the rule;

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

457 (V) Operating costs are expected to increase by at least
458 \$1,000 annually because of the rule; or

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

461 b. Each agency, before the adoption, amendment, or repeal
462 of a rule, shall consider the impact of the rule on small
463 businesses as defined in ~~by~~ s. 288.703 and the impact of the
464 rule on small counties or small cities as defined in ~~by~~ s.

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465 120.52. Whenever practicable, an agency shall tier its rules to
466 reduce disproportionate impacts on small businesses, small
467 counties, or small cities to avoid regulating small businesses,
468 small counties, or small cities that do not contribute
469 significantly to the problem the rule is designed to address. An
470 agency may define "small business" to include businesses
471 employing more than 200 persons, may define "small county" to
472 include those with populations of more than 75,000, and may
473 define "small city" to include those with populations of more
474 than 10,000, if it finds that such a definition is necessary to
475 adapt a rule to the needs and problems of small businesses,
476 small counties, or small cities. The agency shall consider each
477 of the following methods for reducing the impact of the proposed
478 rule on small businesses, small counties, and small cities, or
479 any combination of these entities:

480 (I) Establishing less stringent compliance or reporting
481 requirements in the rule.

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

484 (III) Consolidating or simplifying the rule's compliance or
485 reporting requirements.

486 (IV) Establishing performance standards or best management
487 practices to replace design or operational standards in the
488 rule.

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

491 c. (I) ~~b. (I)~~ If the agency determines that the proposed
492 action will affect small businesses as defined by the agency as
493 provided in sub-subparagraph b. a., the agency must ~~shall~~ send

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494 written notice of the rule to the rules ombudsman in the
495 Executive Office of the Governor at least 28 days before the
496 intended action.

497 (II) Each agency shall adopt those regulatory alternatives
498 offered by the rules ombudsman in the Executive Office of the
499 Governor and provided to the agency no later than 21 days after
500 the rules ombudsman's receipt of the written notice of the rule
501 which it finds are feasible and consistent with the stated
502 objectives of the proposed rule and which would reduce the
503 impact on small businesses. When regulatory alternatives are
504 offered by the rules ombudsman in the Executive Office of the
505 Governor, the 90-day period for filing the rule in subparagraph
506 (e)2. is extended for a period of 21 days. The agency shall
507 provide notice to the committee of any regulatory alternative
508 offered to the agency pursuant to this sub-subparagraph at least
509 21 days before filing the proposed rule for adoption.

510 (III) If an agency does not adopt all alternatives offered
511 pursuant to this sub-subparagraph, it must ~~shall~~, before rule
512 adoption or amendment and pursuant to subparagraph (d)1., file a
513 detailed written statement with the committee explaining the
514 reasons for failure to adopt such alternatives. Within 3 working
515 days after the filing of such notice, the agency shall send a
516 copy of such notice to the rules ombudsman in the Executive
517 Office of the Governor.

518 (c) *Hearings.*—

519 1. If the intended action concerns any rule other than one
520 relating exclusively to procedure or practice, the agency must
521 ~~shall~~, on the request of any affected person received within 21
522 days after the date of publication of the notice of intended

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523 agency action, give affected persons an opportunity to present
524 evidence and argument on all issues under consideration. The
525 agency may schedule a public hearing on the proposed rule and,
526 if requested by any affected person, must ~~shall~~ schedule a
527 public hearing on the proposed rule. When a public hearing is
528 held, the agency must ensure that the persons responsible for
529 preparing the proposed rule and the statement of estimated
530 regulatory costs ~~staff~~ are in attendance ~~available~~ to explain
531 the agency's proposal and to respond to questions or comments
532 regarding the proposed rule, the statement of estimated
533 regulatory costs, and the agency's decision on whether to adopt
534 a lower cost regulatory alternative submitted pursuant to s.
535 120.541(1)(a). If the agency head is a board or other collegial
536 body created under s. 20.165(4) or s. 20.43(3)(g), and one or
537 more requested public hearings is scheduled, the board or other
538 collegial body must ~~shall~~ conduct at least one of the public
539 hearings itself and may not delegate this responsibility without
540 the consent of those persons requesting the public hearing. Any
541 material pertinent to the issues under consideration submitted
542 to the agency within 21 days after the date of publication of
543 the notice or submitted to the agency between the date of
544 publication of the notice and the end of the final public
545 hearing must ~~shall~~ be considered by the agency and made a part
546 of the record of the rulemaking proceeding.

547 2. Rulemaking proceedings are ~~shall be~~ governed solely by
548 ~~the provisions of~~ this section unless a person timely asserts
549 that the person's substantial interests will be affected in the
550 proceeding and affirmatively demonstrates to the agency that the
551 proceeding does not provide adequate opportunity to protect

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552 those interests. If the agency determines that the rulemaking
553 proceeding is not adequate to protect the person's interests, it
554 must ~~shall~~ suspend the rulemaking proceeding and convene a
555 separate proceeding under ~~the provisions of~~ ss. 120.569 and
556 120.57. The agency shall publish notice of convening a separate
557 proceeding in the Florida Administrative Register. Similarly
558 situated persons may be requested to join and participate in the
559 separate proceeding. Upon conclusion of the separate proceeding,
560 the rulemaking proceeding shall be resumed. All timelines in
561 this section are tolled during any suspension of the rulemaking
562 proceeding under this subparagraph, beginning on the date the
563 notice of convening a separate proceeding is published, and the
564 timelines shall resume the day after conclusion of the separate
565 proceedings, notice of which must be provided to the committee.

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

567 1. After the final public hearing on the proposed rule, or
568 after the time for requesting a hearing has expired, if the
569 proposed rule has not been changed from the proposed rule as
570 previously filed with the committee, or contains only technical
571 changes, the adopting agency shall file a notice to that effect
572 with the committee at least 7 days before ~~prior to~~ filing the
573 proposed rule for adoption. Any change, other than a technical
574 change ~~that does not affect the substance of the rule,~~ must be
575 supported by the record of public hearings held on the proposed
576 rule, must be in response to written material submitted to the
577 agency within 21 days after the date of publication of the
578 notice of intended agency action or submitted to the agency
579 between the date of publication of the notice and the end of the
580 final public hearing, or must be in response to a proposed

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581 objection by the committee. Any change, other than a technical
582 change, to a statement of estimated regulatory costs requires a
583 notice of change. In addition, ~~when~~ any change, other than a
584 technical change, to is made in a proposed rule text or any
585 material incorporated by reference requires, ~~other than a~~
586 ~~technical change,~~ the adopting agency to shall provide a copy of
587 a notice of change by certified mail or actual delivery to any
588 person who requests it in writing no later than 21 days after
589 the notice required in paragraph (a). The agency shall file the
590 notice of change with the committee, along with the reasons for
591 the change, and provide the notice of change to persons
592 requesting it, at least 21 days before ~~prior to~~ filing the
593 proposed rule for adoption. The notice of change must shall be
594 published in the Florida Administrative Register at least 21
595 days before ~~prior to~~ filing the proposed rule for adoption. The
596 notice of change must include a summary of any revision of the
597 statement of estimated regulatory costs required by s.
598 120.541(1)(c). This subparagraph does not apply to emergency
599 rules adopted pursuant to subsection (4). Material proposed to
600 be incorporated by reference in the notice required by this
601 subparagraph must be made available in the manner prescribed by
602 sub-subparagraph (1)(i)3.a. or sub-subparagraph (1)(i)3.b. and
603 include a summary of substantive revisions to any material
604 proposed to be incorporated by reference in the proposed rule.

605 2. After the notice required by paragraph (a) and before
606 ~~prior to~~ adoption, the agency may withdraw the proposed rule in
607 whole or in part.

608 3. After the notice required by paragraph (a), the agency
609 must withdraw the proposed rule if the agency has failed to

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610 adopt it within the prescribed timeframes in this chapter. If
611 the agency, 30 days after notice by the committee that the
612 agency has failed to adopt the proposed rule within the
613 prescribed timeframes in this chapter, has not given notice of
614 the withdrawal of the proposed rule, the committee must notify
615 the Department of State that the date for adoption of the rule
616 has expired, and the Department of State must publish a notice
617 of withdrawal of the proposed rule.

618 4. After adoption and before the rule becomes effective, a
619 rule may be modified or withdrawn only in the following
620 circumstances:

621 a. When the committee objects to the rule;

622 b. When a final order, which is not subject to further
623 appeal, is entered in a rule challenge brought pursuant to s.
624 120.56 after the date of adoption but before the rule becomes
625 effective pursuant to subparagraph (e)6.;

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

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

633 ~~5.4.~~ The agency shall give notice of its decision to
634 withdraw or modify a rule in the first available issue of the
635 publication in which the original notice of rulemaking was
636 published, shall notify those persons described in subparagraph
637 (a)3. in accordance with the requirements of that subparagraph,
638 and shall notify the Department of State if the rule is required

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639 to be filed with the Department of State.

640 ~~6.5.~~ After a rule has become effective, it may be repealed
641 or amended only through the rulemaking procedures specified in
642 this chapter.

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

644 1. If the adopting agency is required to publish its rules
645 in the Florida Administrative Code, the agency, upon approval of
646 the agency head, must electronically ~~shall~~ file with the
647 Department of State a three certified copy ~~copies~~ of the rule it
648 proposes to adopt; one copy of any material incorporated by
649 reference in the rule, certified by the agency; a summary of the
650 rule; a summary of any hearings held on the rule; and a detailed
651 written statement of the facts and circumstances justifying the
652 rule. Agencies not required to publish their rules in the
653 Florida Administrative Code shall file one certified copy of the
654 proposed rule, and the other material required by this
655 subparagraph, in the office of the agency head, and such rules
656 must ~~shall~~ be open to the public.

657 2. A rule may not be filed for adoption less than 28 days
658 or more than 90 days after the notice required by paragraph (a),
659 until 21 days after the notice of change required by paragraph
660 (d), until 14 days after the final public hearing, until 21 days
661 after a statement of estimated regulatory costs required under
662 s. 120.541 has been provided to all persons who submitted a
663 lower cost regulatory alternative and made available to the
664 public at a readily accessible page on the agency's website, or
665 until the administrative law judge has rendered a decision under
666 s. 120.56(2), whichever applies. When a required notice of
667 change is published before ~~prior to~~ the expiration of the time

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668 to file the rule for adoption, the period during which a rule
669 must be filed for adoption is extended to 45 days after the date
670 of publication. If notice of a public hearing is published
671 before ~~prior to~~ the expiration of the time to file the rule for
672 adoption, the period during which a rule must be filed for
673 adoption is extended to 45 days after adjournment of the final
674 hearing on the rule, 21 days after receipt of all material
675 authorized to be submitted at the hearing, or 21 days after
676 receipt of the transcript, if one is made, whichever is latest.
677 The term "public hearing" includes any public meeting held by
678 any agency at which the rule is considered. If a petition for an
679 administrative determination under s. 120.56(2) is filed, the
680 period during which a rule must be filed for adoption is
681 extended to 60 days after the administrative law judge files the
682 final order with the clerk or until 60 days after subsequent
683 judicial review is complete.

684 3. At the time a rule is filed, the agency shall certify
685 that the time limitations prescribed by this paragraph have been
686 complied with, that all statutory rulemaking requirements have
687 been met, and that there is no administrative determination
688 pending on the rule.

689 4. At the time a rule is filed, the committee shall certify
690 whether the agency has responded in writing to all material and
691 timely written comments or written inquiries made on behalf of
692 the committee. The Department of State shall reject any rule
693 that is not filed within the prescribed time limits; that does
694 not comply with all statutory rulemaking requirements and rules
695 of the Department of State; upon which an agency has not
696 responded in writing to all material and timely written

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697 inquiries or written comments; upon which an administrative
698 determination is pending; or which does not include a statement
699 of estimated regulatory costs, if required.

700 5. If a rule has not been adopted within the time limits
701 imposed by this paragraph or has not been adopted in compliance
702 with all statutory rulemaking requirements, the agency proposing
703 the rule must ~~shall~~ withdraw the proposed rule and give notice
704 of its action in the next available issue of the Florida
705 Administrative Register. If the agency has not published notice
706 of withdrawal of the rule during the 30 days after receiving
707 notice from the committee that the agency has failed to withdraw
708 the rule, the committee must notify the Department of State that
709 the date for adoption of the rule has expired, and the
710 Department of State must publish a notice of withdrawal of the
711 rule.

712 6. The proposed rule shall be adopted on being filed with
713 the Department of State and becomes ~~become~~ effective 20 days
714 after being filed, on a later date specified in the notice
715 required by subparagraph (a)1., on a date required by statute,
716 or upon ratification by the Legislature pursuant to s.
717 120.541(3). Rules not required to be filed with the Department
718 of State ~~shall~~ become effective when adopted by the agency head,
719 on a later date specified by rule or statute, or upon
720 ratification by the Legislature pursuant to s. 120.541(3). If
721 the committee notifies an agency that an objection to a rule is
722 being considered, the agency may postpone the adoption of the
723 rule to accommodate review of the rule by the committee. When an
724 agency postpones adoption of a rule to accommodate review by the
725 committee, the 90-day period for filing the rule is tolled until

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726 the committee notifies the agency that it has completed its
727 review of the rule.

728
729 For the purposes of this paragraph, the term "administrative
730 determination" does not include subsequent judicial review.

731 (4) EMERGENCY RULES.—

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

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

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

741
742 ~~Nothing in~~ This paragraph does not prohibit ~~prohibits~~ the agency
743 from adopting a rule or rules identical to the emergency rule
744 through the rulemaking procedures specified in subsection (3).

745 (e) Emergency rules must be published in the Florida
746 Administrative Code.

747 (f) An agency may supersede an emergency rule currently in
748 effect through adoption of another emergency rule. The agency
749 must state the reason for adopting the new rule, in accordance
750 with the procedures set forth in paragraph (a), and the new rule
751 must be in effect for the duration of the effective period of
752 the superseded rule. Technical changes to an emergency rule may
753 be made within the first 7 days after adoption of the rule.

754 (g) Any notice of the renewal of an emergency rule must be

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755 published in the Florida Administrative Register before the
756 expiration of the existing emergency rule. The notice of renewal
757 must state the specific facts and reasons for the renewal
758 pursuant to paragraph (c).

759 (h) All emergency rules must be published in the Florida
760 Administrative Code in the section of the code dealing with the
761 agency.

762 (i) For emergency rules with an effective period longer
763 than 90 days which are intended to replace existing rules, a
764 note must be added to the history note of the existing rule
765 which specifically identifies the emergency rule that is
766 intended to supersede the existing rule and includes the date
767 that the emergency rule was filed with the Department of State.

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

772 (7) PETITION TO INITIATE RULEMAKING.—

773 (a) Any person regulated by an agency or having substantial
774 interest in an agency rule may petition an agency to adopt,
775 amend, or repeal a rule or to provide the minimum public
776 information required by this chapter. The petition must ~~shall~~
777 specify the proposed rule and action requested. The agency shall
778 file a copy of the petition with the committee. No ~~Not~~ later
779 than 30 calendar days after ~~following the date of~~ filing a
780 petition, the agency shall initiate rulemaking proceedings under
781 this chapter, otherwise comply with the requested action, or
782 deny the petition with a written statement of its reasons for
783 the denial.

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784 Section 3. Section 120.541, Florida Statutes, is amended to
785 read:

786 120.541 Statement of estimated regulatory costs.—

787 (1) (a) Within 21 days after publication of the notice of a
788 proposed rule or notice of change ~~required under s.~~
789 ~~120.54(3)(a)~~, a substantially affected person may submit to an
790 agency a good faith written proposal for a lower cost regulatory
791 alternative to a proposed rule which substantially accomplishes
792 the objectives of the law being implemented. The agency shall
793 provide a copy of any proposal for a lower cost regulatory
794 alternative to the committee at least 21 days before filing the
795 proposed rule for adoption. The proposal may include the
796 alternative of not adopting any rule if the proposal explains
797 how the lower costs and objectives of the law will be achieved
798 by not adopting any rule. If submitted after a notice of change,
799 a proposal for a lower cost regulatory alternative is deemed to
800 be made in good faith only if the person reasonably believes,
801 and the proposal states the person's reasons for believing, that
802 the proposed rule as changed by the notice of change increases
803 the regulatory costs or creates an adverse impact on small
804 businesses which was not created by the previous proposed rule.
805 If such a proposal is submitted, the 90-day period for filing
806 the rule is extended 21 days. Upon the submission of the lower
807 cost regulatory alternative, the agency shall ~~prepare a~~
808 ~~statement of estimated regulatory costs as provided in~~
809 ~~subsection (2), or shall~~ revise its prior statement of estimated
810 regulatory costs, and either adopt the alternative proposal,
811 reject the alternative proposal, or modify the proposed rule to
812 reduce the regulatory costs. If the agency rejects the

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813 alternative proposal or modifies the proposed rule, the agency
814 must ~~or~~ provide a statement of the reasons for rejecting the
815 alternative in favor of the proposed rule.

816 ~~(b) If a proposed rule will have an adverse impact on small~~
817 ~~business or if the proposed rule is likely to directly or~~
818 ~~indirectly increase regulatory costs in excess of \$200,000 in~~
819 ~~the aggregate within 1 year after the implementation of the~~
820 ~~rule, the agency shall prepare a statement of estimated~~
821 ~~regulatory costs as required by s. 120.54(3)(b).~~

822 ~~(b)(e)~~ The agency must ~~shall~~ revise a statement of
823 estimated regulatory costs if any change to the rule made under
824 s. 120.54(3)(d) increases the regulatory costs of the rule or if
825 the rule is modified in response to the submission of a lower
826 cost regulatory alternative. A summary of the revised statement
827 must be included with any subsequent notice published under s.
828 120.54(3).

829 ~~(c)(d)~~ At least 21 days before filing the proposed rule for
830 adoption, an agency that is required to revise a statement of
831 estimated regulatory costs shall provide the statement to the
832 person who submitted the lower cost regulatory alternative, to
833 the rules ombudsman in the Executive Office of the Governor, and
834 to the committee. The revised statement must be published and
835 made available in the same manner as the original statement of
836 estimated regulatory costs and shall provide notice on the
837 agency's website that it is available to the public.

838 ~~(d)(e)~~ Notwithstanding s. 120.56(1)(c), the failure of the
839 agency to prepare and publish a statement of estimated
840 regulatory costs or to respond to a written lower cost
841 regulatory alternative as provided in this subsection is a

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842 material failure to follow the applicable rulemaking procedures
843 or requirements set forth in this chapter.

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

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

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

853 (f)~~(g)~~ A rule that is challenged pursuant to s.
854 120.52(8)(f) may not be declared invalid unless:

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

857 2. The challenge is to the agency's rejection of a lower
858 cost regulatory alternative offered under paragraph (a) or s.
859 120.54(3)(b)2.c. ~~s. 120.54(3)(b)2.b.~~; and

860 3. The substantial interests of the person challenging the
861 rule are materially affected by the rejection.

862 (2) A statement of estimated regulatory costs must ~~shall~~
863 include:

864 (a) An economic analysis showing whether the rule directly
865 or indirectly:

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

870 2. Is likely to have an adverse impact on business

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871 competitiveness, including the ability of persons doing business
872 in this ~~the~~ state to compete with persons doing business in
873 other states or domestic markets, productivity, or innovation in
874 excess of \$1 million in the aggregate within 5 years after the
875 implementation of the rule; or

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

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

884 (c) A good faith estimate of the cost to the agency, and to
885 any other state and local government entities, of implementing
886 and enforcing the proposed rule, and any anticipated effect on
887 state or local revenues.

888 (d) A good faith estimate of the compliance ~~transactional~~
889 costs likely to be incurred by individuals and entities,
890 including local government entities, required to comply with the
891 requirements of the rule. ~~As used in this section,~~
892 ~~"transactional costs" are direct costs that are readily~~
893 ~~ascertainable based upon standard business practices, and~~
894 ~~include filing fees, the cost of obtaining a license, the cost~~
895 ~~of equipment required to be installed or used or procedures~~
896 ~~required to be employed in complying with the rule, additional~~
897 ~~operating costs incurred, the cost of monitoring and reporting,~~
898 ~~and any other costs necessary to comply with the rule.~~

899 (e) An analysis of the impact on small businesses as

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900 defined by s. 288.703, and an analysis of the impact on small
901 counties and small cities as defined in s. 120.52. The impact
902 analysis for small businesses must include the basis for the
903 agency's decision not to implement alternatives that would
904 reduce adverse impacts on small businesses.

905 (f) Any additional information that the agency determines
906 may be useful.

907 (g) In the ~~statement or~~ revised statement, ~~whichever~~
908 ~~applies,~~ a description of any regulatory alternatives submitted
909 under paragraph (1) (a) and a statement adopting the alternative
910 or a statement of the reasons for rejecting the alternative in
911 favor of the proposed rule.

912 (3) If the adverse impact or regulatory costs of the rule
913 exceed any of the criteria established in paragraph (2) (a), the
914 rule must ~~shall~~ be submitted to the President of the Senate and
915 Speaker of the House of Representatives no later than 30 days
916 before ~~prior to~~ the next regular legislative session, and the
917 rule may not take effect until it is ratified by the
918 Legislature.

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

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

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

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

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

926 (5) For purposes of subsections (2) and (3), adverse
927 impacts and regulatory costs likely to occur within 5 years
928 after implementation of the rule include adverse impacts and

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929 regulatory costs estimated to occur within 5 years after the
930 effective date of the rule. However, if any provision of the
931 rule is not fully implemented upon the effective date of the
932 rule, the adverse impacts and regulatory costs associated with
933 such provision must be adjusted to include any additional
934 adverse impacts and regulatory costs estimated to occur within 5
935 years after implementation of such provision.

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

- 940 1. Increased customer charges for goods or services.
- 941 2. Decreased market value of goods or services produced,
942 provided, or sold.
- 943 3. Increased costs resulting from the purchase of
944 substitute or alternative goods or services.
- 945 4. The reasonable value of time to be spent by owners,
946 officers, operators, and managers to understand and comply with
947 the proposed rule, including, but not limited to, time to be
948 spent completing required education, training, or testing.
- 949 5. Capital costs.
- 950 6. Any other impacts suggested by the rules ombudsman in
951 the Executive Office of the Governor or by any interested
952 persons.

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

957 (c) In estimating compliance costs under paragraph (2) (d),

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958 the agency shall consider, among other matters, all direct and
959 indirect costs necessary to comply with the proposed rule which
960 are readily ascertainable based upon standard business
961 practices, including, but not limited to, costs related to:

- 962 1. Filing fees.
- 963 2. Expenses to obtain a license.
- 964 3. Necessary equipment.
- 965 4. Installation, utilities, and maintenance of necessary
966 equipment.
- 967 5. Necessary operations and procedures.
- 968 6. Accounting, financial, information management, and other
969 administrative processes.
- 970 7. Other processes.
- 971 8. Labor based on relevant rates of wages, salaries, and
972 benefits.
- 973 9. Materials and supplies.
- 974 10. Capital expenditures, including financing costs.
- 975 11. Professional and technical services, including
976 contracted services necessary to implement and maintain
977 compliance.
- 978 12. Monitoring and reporting.
- 979 13. Qualifying and recurring education, training, and
980 testing.
- 981 14. Travel.
- 982 15. Insurance and surety requirements.
- 983 16. A fair and reasonable allocation of administrative
984 costs and other overhead.
- 985 17. Reduced sales or other revenues.
- 986 18. Other items suggested by the rules ombudsman in the

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987 Executive Office of the Governor or by any interested person,
988 business organization, or business representative.

989 (7) (a) The Department of State shall include on the Florida
990 Administrative Register website the agency website addresses
991 where statements of estimated regulatory costs can be viewed in
992 their entirety.

993 (b) An agency that prepares a statement of estimated
994 regulatory costs must provide, as part of the notice required
995 under s. 120.54(3) (a), the agency website address where the
996 statement of estimated regulatory costs can be read in its
997 entirety to the Department of State for publication in the
998 Florida Administrative Register.

999 (c) If an agency revises its statement of estimated
1000 regulatory costs, the agency must provide notice that a revision
1001 has been made in the manner provided under s. 120.54(3) (d)1.
1002 Such notice must also include the agency website address where
1003 the revision can be viewed in its entirety.

1004 Section 4. Section 120.5435, Florida Statutes, is created
1005 to read:

1006 120.5435 Repromulgation of rules.—

1007 (1) It is the intent of the Legislature that each agency
1008 periodically review its rules for consistency with the powers
1009 and duties granted by its enabling statutes.

1010 (2) If an agency determines after review that substantive
1011 changes to update a rule are not required, such agency must
1012 repromulgate the rule to reflect the date of the review. All
1013 rules adopted, amended, or repromulgated on or after July 1,
1014 2023, must be reviewed within 5 years after their effective
1015 dates and every 5 years thereafter. Each agency shall review all

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1016 existing rules pursuant to this section no later than December
1017 31, 2028. Any variation from this schedule must be reflected in
1018 the agency's regulatory plan. No later than December 31, 2023,
1019 the committee shall provide each agency with a list of existing
1020 rules and their effective dates. Failure of an agency to adhere
1021 to the deadlines imposed in this section constitutes a material
1022 failure to follow the applicable rulemaking procedures or
1023 requirements of this chapter and shall be the basis of an
1024 objection under s. 120.545.

1025 (3) Before repromulgation of a rule, the agency must, upon
1026 approval by the agency head or his or her designee:

1027 (a) Publish a notice of repromulgation in the Florida
1028 Administrative Register. A notice of repromulgation is not
1029 required to include the text of the rule being repromulgated.

1030 (b) File the rule for repromulgation with the Department of
1031 State. A rule may not be filed for repromulgation less than 28
1032 days, or more than 90 days, after the date of publication of the
1033 notice required by paragraph (a).

1034 (4) The agency must file a notice of repromulgation with
1035 the committee at least 14 days before filing the rule for
1036 repromulgation. At the time the rule is filed for
1037 repromulgation, the committee shall certify whether the agency
1038 has responded in writing to all material and timely written
1039 comments or written inquiries made on behalf of the committee.

1040 (5) A repromulgated rule is not subject to challenge as a
1041 proposed rule pursuant to s. 120.56(2).

1042 (6) The hearing requirements of s. 120.54 do not apply to
1043 repromulgation of a rule.

1044 (7) (a) The agency, upon approval of the agency head or his

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1045 or her designee, shall electronically file with the Department
1046 of State a certified copy of the repromulgated rule it proposes
1047 to adopt and one certified copy of any material incorporated by
1048 reference in the rule.

1049 (b) The rule is considered to be repromulgated upon its
1050 filing with the Department of State.

1051 (c) The Department of State shall update the history note
1052 of the rule in the Florida Administrative Code to reflect the
1053 filing date of the repromulgated rule.

1054 (8) At least 30 days before each legislative session, the
1055 committee shall submit to the President of the Senate and the
1056 Speaker of the House of Representatives a list of all rules that
1057 have not been repromulgated in accordance with this section, and
1058 identify whether the statutory rulemaking authority for each
1059 rule remains in effect. If no action is taken by the Legislature
1060 with regard to a rule during the next regular legislative
1061 session, each agency, within 14 days after the close of the
1062 session, must initiate rulemaking proceedings under chapter 120
1063 to repeal the rule.

1064 (9) The Department of State shall adopt rules to implement
1065 this section by December 31, 2023.

1066 Section 5. Section 120.5436, Florida Statutes, is created
1067 to read:

1068 120.5436 Infrastructure and environmental permitting
1069 review.—

1070 (1)(a) It is the intent of the Legislature to build a more
1071 resilient and responsive government infrastructure to allow for
1072 quick recovery after natural disasters, including hurricanes and
1073 tropical storms.

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1074 (b) It is further the intent of the Legislature to promote
1075 efficiency in state government across branches, agencies, and
1076 other governmental entities and to identify any area of
1077 improvement within each that allows for quick, effective
1078 delivery of services.

1079 (c) Further, the Legislature intends for the state to seek
1080 out ways to improve its administrative procedures in relevant
1081 fields to build a streamlined permitting process that withstands
1082 disruptions caused by natural disasters, including hurricanes
1083 and tropical storms.

1084 (2) (a) The Department of Environmental Protection and water
1085 management districts shall conduct a holistic review of their
1086 current coastal permitting processes and other permit programs.
1087 These permitting processes must include, but are not limited to,
1088 coastal construction control line permits; joint coastal
1089 permits; environmental resource permits; consistent with the
1090 terms of the United States Environmental Protection Agency's
1091 approval, state-administered section 404 permits; and permitting
1092 processes related to water supply infrastructure, wastewater
1093 infrastructure, and onsite sewage treatment and disposal
1094 systems.

1095 (b) The scope and purpose of the review is to identify
1096 areas of improvement and to increase efficiency within each
1097 process. Factors that must be considered in the review include
1098 the following:

- 1099 1. The requirements to obtain a permit.
- 1100 2. Time periods for review, including by commenting
1101 agencies, and approval of the permit application.
- 1102 3. Areas for improved efficiency and decision-point

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1103 consolidation within a single project's process.

1104 4. Areas of duplication across one or more permit programs.

1105 5. The methods of requesting permits.

1106 6. Any other factors that may increase the efficiency of
1107 the permitting processes and may allow improved storm recovery.

1108 (c) By December 31, 2023, the department and water
1109 management districts shall provide their findings and proposed
1110 solutions in a report to the Governor, the President of the
1111 Senate, and the Speaker of the House of Representatives.

1112 Section 6. Subsection (1) of section 120.545, Florida
1113 Statutes, is amended to read:

1114 120.545 Committee review of agency rules.—

1115 (1) As a legislative check on legislatively created
1116 authority, the committee shall examine each existing rule and
1117 proposed rule, except for those proposed rules exempted by s.
1118 120.81(1)(e) and (2), and its accompanying material, and each
1119 emergency rule, ~~and may examine any existing rule,~~ for the
1120 purpose of determining whether:

1121 (a) The rule is an invalid exercise of delegated
1122 legislative authority.

1123 (b) The statutory authority for the rule has been repealed.

1124 (c) The rule reiterates or paraphrases statutory material.

1125 (d) The rule is in proper form.

1126 (e) The notice given before ~~prior to~~ its adoption was
1127 sufficient to give adequate notice of the purpose and effect of
1128 the rule.

1129 (f) The rule is consistent with expressed legislative
1130 intent pertaining to the specific provisions of law which the
1131 rule implements.

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1132 (g) The rule is necessary to accomplish the apparent or
1133 expressed objectives of the specific provision of law which the
1134 rule implements.

1135 (h) The rule is a reasonable implementation of the law as
1136 it affects the convenience of the general public or persons
1137 particularly affected by the rule.

1138 (i) The rule could be made less complex or more easily
1139 comprehensible to the general public.

1140 (j) The rule's statement of estimated regulatory costs
1141 complies with the requirements of s. 120.541 and whether the
1142 rule does not impose regulatory costs on the regulated person,
1143 county, or city which could be reduced by the adoption of less
1144 costly alternatives that substantially accomplish the statutory
1145 objectives.

1146 (k) The rule will require additional appropriations.

1147 (l) If the rule is an emergency rule, there exists an
1148 emergency justifying the adoption of such rule, the agency is
1149 within its statutory authority, and the rule was adopted in
1150 compliance with the requirements and limitations of s.
1151 120.54(4).

1152 Section 7. Paragraphs (a), (b), and (c) of subsection (1)
1153 of section 120.55, Florida Statutes, are amended to read:

1154 120.55 Publication.—

1155 (1) The Department of State shall:

1156 (a)1. Through a continuous revision and publication system,
1157 compile and publish electronically, on a website managed by the
1158 department, the "Florida Administrative Code." The Florida
1159 Administrative Code must ~~shall~~ contain all rules adopted by each
1160 agency, citing the grant of rulemaking authority and the

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1161 specific law implemented pursuant to which each rule was
1162 adopted, all history notes as authorized in s. 120.545(7),
1163 complete indexes to all rules contained in the code, and any
1164 other material required or authorized by law or deemed useful by
1165 the department. The electronic code must ~~shall~~ display each rule
1166 chapter currently in effect in browse mode and allow full text
1167 search of the code and each rule chapter. The department may
1168 contract with a publishing firm for a printed publication;
1169 however, the department shall retain responsibility for the code
1170 as provided in this section. The electronic publication is ~~shall~~
1171 ~~be~~ the official compilation of the administrative rules of this
1172 state. The Florida Administrative Register must be published
1173 once each business day by 8 a.m., with the exception of state
1174 holidays or emergency closures of state agencies. If a rule,
1175 proposed rule, or notice of rule development is corrected and
1176 replaced, the corrected rule or notice must be published in the
1177 next available Florida Administrative Register with a notation
1178 indicating that the rule, proposed rule, or notice has been
1179 corrected by the Department of State. Any timeframes for
1180 rulemaking set forth in this chapter must revert to the initial
1181 date of publication.

1182

1183 The Department of State retains ~~shall retain~~ the copyright over
1184 the Florida Administrative Code.

1185 2. Not publish rules in the Florida Administrative Code
1186 which are general in form but applicable to only one school
1187 district, community college district, or county, or a part
1188 thereof, or state university rules relating to internal
1189 personnel or business and finance ~~shall not be published in the~~

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1190 ~~Florida Administrative Code~~. Exclusion from publication in the
1191 Florida Administrative Code does ~~shall~~ not affect the validity
1192 or effectiveness of such rules.

1193 3. At the beginning of the section of the code dealing with
1194 an agency that files copies of its rules with the department,
1195 the agency ~~department~~ shall publish the address and telephone
1196 number of the executive offices of each agency, the manner by
1197 which the agency indexes its rules, a listing of all rules of
1198 that agency excluded from publication in the code, and a
1199 statement as to where those rules may be inspected.

1200 4. Not publish forms ~~shall not be published~~ in the Florida
1201 Administrative Code; but any form which an agency uses in its
1202 dealings with the public, along with any accompanying
1203 instructions, shall be filed with the committee before it is
1204 used. Any form or instruction which meets the definition of
1205 "rule" provided in s. 120.52 must ~~shall~~ be incorporated by
1206 reference into the appropriate rule. The reference must ~~shall~~
1207 specifically state that the form is being incorporated by
1208 reference and must ~~shall~~ include the number, title, and
1209 effective date of the form and an explanation of how the form
1210 may be obtained. Each form created by an agency which is
1211 incorporated by reference in a rule notice of which is given
1212 under s. 120.54(3)(a) after December 31, 2007, must clearly
1213 display the number, title, and effective date of the form and
1214 the number of the rule in which the form is incorporated.

1215 5. Require all materials incorporated by reference in any
1216 part of an adopted rule and in any part of a repromulgated rule
1217 ~~The department shall allow adopted rules and material~~
1218 ~~incorporated by reference~~ to be filed in the manner prescribed

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1219 ~~by s. 120.54(1)(i)3.a. or b. electronic form as prescribed by~~
1220 ~~department rule.~~ When a proposed rule is filed for adoption or
1221 repromulgation with incorporated material in electronic form,
1222 the department's publication of the Florida Administrative Code
1223 on its website must contain a hyperlink from the incorporating
1224 reference in the rule directly to that material. The department
1225 may not allow hyperlinks from rules in the Florida
1226 Administrative Code to any material other than that filed with
1227 and maintained by the department, but may allow hyperlinks to
1228 incorporated material maintained by the department from the
1229 adopting agency's website or other sites.

1230 6. Include the date of any technical changes to a rule in
1231 the history note of the rule in the Florida Administrative Code.
1232 A technical change does not affect the effective date of the
1233 rule.

1234 (b) Electronically publish on a website managed by the
1235 department a continuous revision and publication entitled the
1236 "Florida Administrative Register," which shall serve as the
1237 official publication and must contain:

1238 1. All notices required by s. 120.54(2) and (3)(a), showing
1239 the text of all rules proposed for consideration.

1240 2. All notices of public meetings, hearings, and workshops
1241 conducted in accordance with s. 120.525, including a statement
1242 of the manner in which a copy of the agenda may be obtained.

1243 3. A notice of each request for authorization to amend or
1244 repeal an existing uniform rule or for the adoption of new
1245 uniform rules.

1246 4. Notice of petitions for declaratory statements or
1247 administrative determinations.

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1248 5. A summary of each objection to any rule filed by the
1249 Administrative Procedures Committee.

1250 6. A list of rules filed for adoption in the previous 7
1251 days.

1252 7. A list of all rules filed for adoption pending
1253 legislative ratification under s. 120.541(3). A rule shall be
1254 removed from the list once notice of ratification or withdrawal
1255 of the rule is received.

1256 8. The full text of each emergency rule in effect on the
1257 date of publication.

1258 9. Any other material required or authorized by law or
1259 deemed useful by the department.

1260
1261 The department may contract with a publishing firm for a printed
1262 publication of the Florida Administrative Register and make
1263 copies available on an annual subscription basis.

1264 (c) Prescribe by rule the style and form required for
1265 rules, notices, and other materials submitted for filing,
1266 including a rule requiring documents created by an agency which
1267 are proposed to be incorporated by reference in notices
1268 published pursuant to s. 120.54(3)(a) and (d) to be coded in the
1269 same manner as notices published pursuant to s. 120.54(3)(a)1.

1270 Section 8. Paragraph (a) of subsection (2) of section
1271 120.56, Florida Statutes, is amended to read:

1272 120.56 Challenges to rules.—

1273 (2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.—

1274 (a) A petition alleging the invalidity of a proposed rule
1275 shall be filed within 21 days after the date of publication of
1276 the notice required by s. 120.54(3)(a); within 10 days after the

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1277 final public hearing is held on the proposed rule as provided by
1278 s. 120.54(3)(e)2.; within 20 days after the statement of
1279 estimated regulatory costs or revised statement of estimated
1280 regulatory costs, if applicable, has been prepared and made
1281 available as provided in s. 120.541(1)(c) ~~s. 120.541(1)(d)~~; or
1282 within 20 days after the date of publication of the notice
1283 required by s. 120.54(3)(d). The petitioner has the burden to
1284 prove by a preponderance of the evidence that the petitioner
1285 would be substantially affected by the proposed rule. The agency
1286 then has the burden to prove by a preponderance of the evidence
1287 that the proposed rule is not an invalid exercise of delegated
1288 legislative authority as to the objections raised. A person who
1289 is not substantially affected by the proposed rule as initially
1290 noticed, but who is substantially affected by the rule as a
1291 result of a change, may challenge any provision of the resulting
1292 proposed rule.

1293 Section 9. Subsection (1) and paragraph (a) of subsection
1294 (2) of section 120.74, Florida Statutes, are amended to read:

1295 120.74 Agency annual rulemaking and regulatory plans;
1296 reports.—

1297 (1) REGULATORY PLAN.—By October 1 of each year, each agency
1298 shall prepare a regulatory plan.

1299 (a) The plan must include a listing of each law enacted or
1300 amended during the previous 12 months which creates or modifies
1301 the duties or authority of the agency. If the Governor or the
1302 Attorney General provides a letter to the committee stating that
1303 a law affects all or most agencies, the agency may exclude the
1304 law from its plan. For each law listed by an agency under this
1305 paragraph, the plan must state:

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- 1306 1. Whether the agency must adopt rules to implement the
1307 law.
- 1308 2. If rulemaking is necessary to implement the law:
- 1309 a. Whether a notice of rule development has been published
1310 and, if so, the citation to such notice in the Florida
1311 Administrative Register.
- 1312 b. The date by which the agency expects to publish the
1313 notice of proposed rule under s. 120.54(3)(a).
- 1314 3. If rulemaking is not necessary to implement the law, a
1315 concise written explanation of the reasons why the law may be
1316 implemented without rulemaking.
- 1317 (b) The plan must also identify and describe each rule,
1318 including each rule number or proposed rule number, that include
1319 a listing of each law not otherwise listed pursuant to paragraph
1320 (a) which the agency expects to develop, adopt, or repeal for
1321 the 12-month period beginning on October 1 and ending on
1322 September 30 implement by rulemaking before the following July
1323 1, excluding emergency rules except emergency rulemaking. For
1324 each rule law listed under this paragraph, the plan must state
1325 whether the rulemaking is intended to simplify, clarify,
1326 increase efficiency, improve coordination with other agencies,
1327 reduce regulatory costs, or delete obsolete, unnecessary, or
1328 redundant rules.
- 1329 (c) The plan must include any desired update to the prior
1330 year's regulatory plan or supplement published pursuant to
1331 subsection (7). If, in a prior year, a law was identified under
1332 this paragraph or under subparagraph (a)1. as a law requiring
1333 rulemaking to implement but a notice of proposed rule has not
1334 been published:

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1335 1. The agency must ~~shall~~ identify and again list such law,
1336 noting the applicable notice of rule development by citation to
1337 the Florida Administrative Register; or

1338 2. If the agency has subsequently determined that
1339 rulemaking is not necessary to implement the law, the agency
1340 must ~~shall~~ identify such law, reference the citation to the
1341 applicable notice of rule development in the Florida
1342 Administrative Register, and provide a concise written
1343 explanation of the reason why the law may be implemented without
1344 rulemaking.

1345 (d) The plan must identify any rules that are required to
1346 be repromulgated pursuant to s. 120.5435 for the 12-month period
1347 beginning on October 1 and ending on September 30.

1348 (e) The plan must include a certification executed on
1349 behalf of the agency by both the agency head, or, if the agency
1350 head is a collegial body, the presiding officer; and the
1351 individual acting as principal legal advisor to the agency head.
1352 The certification must declare:

1353 1. ~~Verify~~ That the persons executing the certification have
1354 reviewed the plan.

1355 2. ~~Verify~~ That the agency regularly reviews all of its
1356 rules and identify the period during which all rules have most
1357 recently been reviewed to determine if the rules remain
1358 consistent with the agency's rulemaking authority and the laws
1359 implemented.

1360 3. That the agency understands that regulatory
1361 accountability is necessary to ensure public confidence in the
1362 integrity of state government and, to that end, the agency is
1363 diligently working toward lowering the total number of rules

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1364 adopted.

1365 4. The total number of rules adopted and repealed during
 1366 the previous 12 months.

1367 (2) PUBLICATION AND DELIVERY TO THE COMMITTEE.—

1368 (a) By October 1 of each year, each agency shall:

1369 1. Publish its regulatory plan on its website or on another
 1370 state website established for publication of administrative law
 1371 records. A clearly labeled hyperlink to the current plan must be
 1372 included on the agency's primary website homepage.

1373 2. Electronically deliver to the committee a copy of the
 1374 certification required in paragraph (1) (e) ~~(1) (d)~~.

1375 3. Publish in the Florida Administrative Register a notice
 1376 identifying the date of publication of the agency's regulatory
 1377 plan. The notice must include a hyperlink or website address
 1378 providing direct access to the published plan.

1379 Section 10. Subsection (11) of section 120.80, Florida
 1380 Statutes, is amended to read:

1381 120.80 Exceptions and special requirements; agencies.—

1382 (11) NATIONAL GUARD.—Notwithstanding s. 120.52(17) ~~s.~~
 1383 ~~120.52(16)~~, the enlistment, organization, administration,
 1384 equipment, maintenance, training, and discipline of the militia,
 1385 National Guard, organized militia, and unorganized militia, as
 1386 provided by s. 2, Art. X of the State Constitution, are not
 1387 rules as defined by this chapter.

1388 Section 11. Paragraph (c) of subsection (1) of section
 1389 120.81, Florida Statutes, is amended to read:

1390 120.81 Exceptions and special requirements; general areas.—

1391 (1) EDUCATIONAL UNITS.—

1392 (c) Notwithstanding s. 120.52(17) ~~s. 120.52(16)~~, any tests,

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1393 test scoring criteria, or testing procedures relating to student
1394 assessment which are developed or administered by the Department
1395 of Education pursuant to s. 1003.4282, s. 1008.22, or s.
1396 1008.25, or any other statewide educational tests required by
1397 law, are not rules.

1398 Section 12. Paragraph (a) of subsection (1) of section
1399 420.9072, Florida Statutes, is amended to read:

1400 420.9072 State Housing Initiatives Partnership Program.—The
1401 State Housing Initiatives Partnership Program is created for the
1402 purpose of providing funds to counties and eligible
1403 municipalities as an incentive for the creation of local housing
1404 partnerships, to expand production of and preserve affordable
1405 housing, to further the housing element of the local government
1406 comprehensive plan specific to affordable housing, and to
1407 increase housing-related employment.

1408 (1) (a) In addition to the legislative findings set forth in
1409 s. 420.6015, the Legislature finds that affordable housing is
1410 most effectively provided by combining available public and
1411 private resources to conserve and improve existing housing and
1412 provide new housing for very-low-income households, low-income
1413 households, and moderate-income households. The Legislature
1414 intends to encourage partnerships in order to secure the
1415 benefits of cooperation by the public and private sectors and to
1416 reduce the cost of housing for the target group by effectively
1417 combining all available resources and cost-saving measures. The
1418 Legislature further intends that local governments achieve this
1419 combination of resources by encouraging active partnerships
1420 between government, lenders, builders and developers, real
1421 estate professionals, advocates for low-income persons, and

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1422 community groups to produce affordable housing and provide
1423 related services. Extending the partnership concept to encompass
1424 cooperative efforts among small counties as defined in s.
1425 120.52(20) ~~s. 120.52(19)~~, and among counties and municipalities
1426 is specifically encouraged. Local governments are also intended
1427 to establish an affordable housing advisory committee to
1428 recommend monetary and nonmonetary incentives for affordable
1429 housing as provided in s. 420.9076.

1430 Section 13. Subsection (7) of section 420.9075, Florida
1431 Statutes, is amended to read:

1432 420.9075 Local housing assistance plans; partnerships.—

1433 (7) The moneys deposited in the local housing assistance
1434 trust fund shall be used to administer and implement the local
1435 housing assistance plan. The cost of administering the plan may
1436 not exceed 5 percent of the local housing distribution moneys
1437 and program income deposited into the trust fund. A county or an
1438 eligible municipality may not exceed the 5-percent limitation on
1439 administrative costs, unless its governing body finds, by
1440 resolution, that 5 percent of the local housing distribution
1441 plus 5 percent of program income is insufficient to adequately
1442 pay the necessary costs of administering the local housing
1443 assistance plan. The cost of administering the program may not
1444 exceed 10 percent of the local housing distribution plus 5
1445 percent of program income deposited into the trust fund, except
1446 that small counties, as defined in s. 120.52(20) ~~s. 120.52(19)~~,
1447 and eligible municipalities receiving a local housing
1448 distribution of up to \$350,000 may use up to 10 percent of
1449 program income for administrative costs.

1450 Section 14. Paragraph (d) of subsection (1) of section

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1451 443.091, Florida Statutes, is amended to read:

1452 443.091 Benefit eligibility conditions.—

1453 (1) An unemployed individual is eligible to receive
1454 benefits for any week only if the Department of Economic
1455 Opportunity finds that:

1456 (d) She or he is able to work and is available for work. In
1457 order to assess eligibility for a claimed week of unemployment,
1458 the department shall develop criteria to determine a claimant's
1459 ability to work and availability for work. A claimant must be
1460 actively seeking work in order to be considered available for
1461 work. This means engaging in systematic and sustained efforts to
1462 find work, including contacting at least five prospective
1463 employers for each week of unemployment claimed. The department
1464 may require the claimant to provide proof of such efforts to the
1465 one-stop career center as part of reemployment services. A
1466 claimant's proof of work search efforts may not include the same
1467 prospective employer at the same location in 3 consecutive
1468 weeks, unless the employer has indicated since the time of the
1469 initial contact that the employer is hiring. The department
1470 shall conduct random reviews of work search information provided
1471 by claimants. As an alternative to contacting at least five
1472 prospective employers for any week of unemployment claimed, a
1473 claimant may, for that same week, report in person to a one-stop
1474 career center to meet with a representative of the center and
1475 access reemployment services of the center. The center shall
1476 keep a record of the services or information provided to the
1477 claimant and shall provide the records to the department upon
1478 request by the department. However:

1479 1. Notwithstanding any other provision of this paragraph or

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1480 paragraphs (b) and (e), an otherwise eligible individual may not
1481 be denied benefits for any week because she or he is in training
1482 with the approval of the department, or by reason of s.

1483 443.101(2) relating to failure to apply for, or refusal to
1484 accept, suitable work. Training may be approved by the
1485 department in accordance with criteria prescribed by rule. A
1486 claimant's eligibility during approved training is contingent
1487 upon satisfying eligibility conditions prescribed by rule.

1488 2. Notwithstanding any other provision of this chapter, an
1489 otherwise eligible individual who is in training approved under
1490 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
1491 determined ineligible or disqualified for benefits due to
1492 enrollment in such training or because of leaving work that is
1493 not suitable employment to enter such training. As used in this
1494 subparagraph, the term "suitable employment" means work of a
1495 substantially equal or higher skill level than the worker's past
1496 adversely affected employment, as defined for purposes of the
1497 Trade Act of 1974, as amended, the wages for which are at least
1498 80 percent of the worker's average weekly wage as determined for
1499 purposes of the Trade Act of 1974, as amended.

1500 3. Notwithstanding any other provision of this section, an
1501 otherwise eligible individual may not be denied benefits for any
1502 week because she or he is before any state or federal court
1503 pursuant to a lawfully issued summons to appear for jury duty.

1504 4. Union members who customarily obtain employment through
1505 a union hiring hall may satisfy the work search requirements of
1506 this paragraph by reporting daily to their union hall.

1507 5. The work search requirements of this paragraph do not
1508 apply to persons who are unemployed as a result of a temporary

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1509 layoff or who are claiming benefits under an approved short-time
1510 compensation plan as provided in s. 443.1116.

1511 6. In small counties as defined in s. 120.52(20) ~~s.~~
1512 ~~120.52(19)~~, a claimant engaging in systematic and sustained
1513 efforts to find work must contact at least three prospective
1514 employers for each week of unemployment claimed.

1515 7. The work search requirements of this paragraph do not
1516 apply to persons required to participate in reemployment
1517 services under paragraph (e).

1518 Section 15. This act shall take effect July 1, 2023.