

1 A bill to be entitled
2 An act relating to administrative procedures; amending
3 s. 120.52, F.S.; revising and providing definitions;
4 amending s. 120.54, F.S.; prohibiting rules amended or
5 repromulgated on or after a specified date from being
6 incorporated by reference unless certain exceptions
7 apply; requiring agencies to publish a certain notice
8 of rule development in the Florida Administrative
9 Register within a specified timeframe before providing
10 specified notice of a proposed rule; requiring that a
11 notice of rule development cite the grant of
12 rulemaking authority; requiring that a notice of rule
13 development contain a proposed rule number and
14 specified statements; requiring that notice of a
15 proposed rule be published in the Florida
16 Administrative Register within a specified timeframe
17 after the most recent notice of rule development;
18 revising the scope of public workshops to include
19 information gathered for the preparation of statements
20 of estimated regulatory costs; requiring that a notice
21 of proposed rule include a website address where a
22 statement of regulatory costs can be viewed; requiring
23 that a notice of proposed rule include a request for
24 the submission of any helpful information regarding
25 the statement of estimated regulatory costs; requiring

26 that material proposed to be incorporated by reference
27 and the statement of estimated regulatory costs be
28 made available to the public; requiring that material
29 proposed to be incorporated by reference be made
30 available in a specified manner; authorizing
31 electronic delivery of notices to persons who have
32 requested advance notice of agency rulemaking
33 proceedings; requiring, rather than encouraging, an
34 agency to prepare a specified statement of estimated
35 regulatory costs before adopting or amending any rule
36 other than an emergency rule; providing that an agency
37 is not required to prepare a statement of estimated
38 regulatory costs before repealing a rule; providing an
39 exception; requiring that certain rule repeals be
40 considered presumptively correct in a proceeding
41 before the Division of Administrative Hearings or a
42 court of competent jurisdiction; revising the criteria
43 under which a proposed rule's adverse impact on small
44 businesses is deemed to exist; removing the definition
45 of the term "small business"; 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 for certain
50 purposes; requiring an agency to publish a notice of

51 convening a separate proceeding in certain
52 circumstances; providing that rulemaking timelines are
53 tolled during such separate proceedings; providing
54 that such timelines resume the day after the
55 conclusion of such proceedings; requiring that notice
56 of conclusion of such proceedings be provided to the
57 committee; revising the requirements for the contents
58 of a notice of change; requiring the committee to
59 notify the Department of State that the date for an
60 agency to adopt a proposed rule has expired under
61 certain circumstances; requiring the department to
62 publish a notice of withdrawal of the proposed rule
63 under certain circumstances; providing that if a
64 proposed rule is not ratified within a specified
65 timeframe, the agency must withdraw such rule and may
66 initiate rulemaking again, or must initiate rulemaking
67 again under a specified condition; requiring the
68 agency, upon approval of the agency head, to
69 electronically file with the department a certified
70 copy of the proposed rule; requiring the committee to
71 notify the department that the agency has failed to
72 withdraw a rule within a specified timeframe;
73 requiring the department to publish a notice of
74 withdrawal of the rule; providing for an agency to
75 adopt emergency rules if authorized by the

Legislature; requiring an agency to publish in the Florida Administrative Register certain findings or the citation granting the agency emergency rulemaking authority; providing that an emergency rule expires and must be withdrawn from ratification under certain circumstances; requiring that emergency rules be published in the Florida Administrative Code; authorizing agencies to supersede an emergency rule through adoption of another emergency rule; providing requirements for adopting a new rule; authorizing an agency to make technical changes to an emergency rule during a specified timeframe; requiring that notice of renewal of an emergency rule be published in the Florida Administrative Register before the expiration of the existing rule; requiring that the notice state specified facts and reasons; requiring that emergency rules be published in a certain section of the Florida Administrative Code; requiring specified emergency rules to contain a certain history note; providing that certain emergency rules may be repealed by the adopting agency at any time while the emergency rule is in effect by publishing a certain notice in the Florida Administrative Register; requiring an agency to file a copy of a certain petition with the committee; amending s. 120.541, F.S.; requiring an

101 agency to provide a copy of a proposal for a lower
102 cost regulatory alternative to the committee within a
103 certain timeframe; specifying the circumstances under
104 which such proposal is deemed to be made in good
105 faith; requiring an agency to adopt, reject, or modify
106 the alternative proposal; revising requirements for an
107 agency's consideration of a lower cost regulatory
108 alternative; requiring an agency to revise its
109 statement of estimated regulatory costs if a rule is
110 modified in response to such alternatives; requiring
111 that the revised statement of estimated regulatory
112 costs be submitted to the rules ombudsman and be made
113 available in the same manner as the original;
114 providing that an agency's failure to publish a
115 specified statement is a material failure to follow
116 rulemaking procedures; requiring a good faith estimate
117 as to how many small businesses are likely to be
118 subject to the rule; removing the definition of the
119 term "transactional costs"; revising the applicability
120 of specified provisions; providing requirements for
121 the calculation of estimated regulatory costs;
122 requiring the department to include the agency website
123 on which statements of estimated regulatory costs can
124 be viewed; requiring an agency to take specified
125 actions relating to statements of estimated regulatory

costs; creating s. 120.5435, F.S.; providing legislative intent; requiring each agency to submit a schedule of rules it plans to review each year over a specified timeframe in the agency's annual regulatory plan; authorizing an agency to amend such schedule; requiring an agency to review a certain percentage of rules each year; providing for repeal of the requirement that the annual regulatory plan contain such schedule; requiring agency review of rules and repromulgation of rules that do not require substantive changes within a specified timeframe; requiring that such rules be reviewed periodically; requiring the committee to provide each agency with a specified list by a specified date; providing that the failure of an agency to adhere to specified deadlines constitutes a material failure and is the basis for a specified objection; requiring an agency to publish a notice of repromulgation in the Florida Administrative Register and file a rule for repromulgation with the department within a specified timeframe; requiring an agency to file a notice of repromulgation with the committee within a specified timeframe; requiring the committee to certify if the agency has provided certain responses to the committee; providing that a repromulgated rule is not subject to challenge as a

proposed rule and that certain hearing requirements do not apply; requiring an agency to electronically file with the department a certified copy of a proposed repromulgated rule and any material incorporated by reference; providing that a rule is considered repromulgated upon filing with the department; requiring the department to update certain information in the Florida Administrative Code; requiring the committee to submit a specified list to the Legislature within a specified timeframe; requiring each agency to initiate rulemaking proceedings to repeal certain rules within a specified timeframe if certain conditions exist; requiring the department to adopt rules by a certain date; amending s. 120.545, F.S.; requiring, rather than authorizing, the committee to examine certain existing rules; amending s. 120.55, F.S.; requiring the Department of State to publish the Florida Administrative Register once each business day by a specified time; providing exceptions; requiring the department to note in the register if a rule, proposed rule, or notice of rule development was corrected or replaced; requiring that certain rulemaking timeframes revert to the initial date of publication; requiring the agency, rather than the department, to publish specified information at

the beginning of specified sections of the Florida Administrative Code; requiring that materials incorporated by reference be filed in a specified manner; requiring the department to include the date of a technical rule change in the Florida Administrative Code; providing that a technical change does not affect the effective date of a rule; revising the required contents of the Florida Administrative Register; requiring the department to adopt specified rules; amending s. 120.56, F.S.; conforming a cross-reference; amending s. 120.74, F.S.; requiring an agency to list each rule, except for emergency rules, it plans to develop, adopt, or repeal during the forthcoming year in the agency's annual regulatory plan; requiring that an agency's annual regulatory plan identify any rules repromulgated over the previous year and those that are required to be repromulgated during the forthcoming year; requiring the agency to make certain declarations concerning the annual regulatory plan; requiring an agency to include certain information regarding the prior year's licensing practices in its annual regulatory plan; amending ss. 120.80, 120.81, 420.9072, 420.9075, and 443.091, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Subsections (16) through (19) and (20), (21), and (22) of section 120.52, Florida Statutes, are renumbered as subsections (17) through (20) and (22), (23), and (24), respectively, present subsection (16) is amended, and new subsections (16) and (21) are added to that section, to read:

120.52 Definitions.—As used in this act:

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

(17)~~(16)~~ "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form or guidance document which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule. The term does not include:

(a) Internal management memoranda which do not affect either the private interests of any person or any plan or procedure important to the public and which have no application outside the agency issuing the memorandum.

(b) Legal memoranda or opinions issued to an agency by the Attorney General or agency legal opinions prior to their use in connection with an agency action.

(c) The preparation or modification of:

1. Agency budgets.

2. Statements, memoranda, or instructions to state agencies issued by the Chief Financial Officer or Comptroller as chief fiscal officer of the state and relating or pertaining to claims for payment submitted by state agencies to the Chief Financial Officer or Comptroller.

3. Contractual provisions reached as a result of collective bargaining.

4. Memoranda issued by the Executive Office of the Governor relating to information resources management.

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

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

120.54 Rulemaking.—

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

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

255 2. An agency rule that incorporates by specific reference
256 another rule of that agency automatically incorporates
257 subsequent amendments to the referenced rule unless a contrary
258 intent is clearly indicated in the referencing rule. A notice of
259 amendments to a rule that has been incorporated by specific
260 reference in other rules of that agency must explain the effect
261 of those amendments on the referencing rules.

262 3. In rules adopted after December 31, 2010, and rules
263 amended or repromulgated on or after July 1, 2025, material may
264 not be incorporated by reference unless:

265 a. The material has been submitted in the prescribed
266 electronic format to the Department of State and the full text
267 of the material can be made available for free public access
268 through an electronic hyperlink from the rule making the
269 reference in the Florida Administrative Code; or

270 b. The agency has determined that posting the material on
271 the Internet for purposes of public examination and inspection
272 would constitute a violation of federal copyright law, in which
273 case a statement to that effect, along with the address of
274 locations at the Department of State and the agency at which the
275 material is available for public inspection and examination,

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

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

280 5. Notwithstanding any contrary provision in this section,
281 when an adopted rule of the Department of Environmental
282 Protection or a water management district is incorporated by
283 reference in the other agency's rule to implement a provision of
284 part IV of chapter 373, subsequent amendments to the rule are
285 not effective as to the incorporating rule unless the agency
286 incorporating by reference notifies the committee and the
287 Department of State of its intent to adopt the subsequent
288 amendment, publishes notice of such intent in the Florida
289 Administrative Register, and files with the Department of State
290 a copy of the amended rule incorporated by reference. Changes in
291 the rule incorporated by reference are effective as to the other
292 agency 20 days after the date of the published notice and filing
293 with the Department of State. The Department of State shall
294 amend the history note of the incorporating rule to show the
295 effective date of such change. Any substantially affected person
296 may, within 14 days after the date of publication of the notice
297 of intent in the Florida Administrative Register, file an
298 objection to rulemaking with the agency. The objection must
299 ~~shall~~ specify the portions of the rule incorporated by reference
300 to which the person objects and the reasons for the objection.

301 The agency does ~~shall~~ not have the authority under this
302 subparagraph to adopt those portions of the rule specified in
303 such objection. The agency shall publish notice of the objection
304 and of its action in response in the next available issue of the
305 Florida Administrative Register.

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

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

309 (a) 1. Except when the intended action is the repeal of a
310 rule, agencies shall provide notice of the development of
311 proposed rules by publication of a notice of rule development in
312 the Florida Administrative Register at least 7 days before
313 providing notice of a proposed rule as required by paragraph

314 (3)(a). The notice of rule development must ~~shall~~ indicate the
315 subject area to be addressed by rule development, provide a
316 short, plain explanation of the purpose and effect of the
317 proposed rule, cite the grant of rulemaking authority for the
318 proposed rule and the law being implemented ~~specific legal~~
319 ~~authority for the proposed rule~~, and include the proposed rule
320 number and the preliminary text of the proposed rules, if
321 available, or a statement of how a person may promptly obtain,
322 without cost, a copy of any preliminary draft, when ~~if~~
323 available. The notice must also include a request for the
324 submission of any information that would be helpful to the
325 agency in preparing the statement of estimated regulatory costs

326 required pursuant to paragraph (3) (b) and a statement of how a
327 person may submit comments on the proposal and how a person may
328 provide information regarding the potential regulatory costs.

329 2. A notice of a proposed rule must be published in the
330 Florida Administrative Register within 12 months after the most
331 recent notice of rule development.

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

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

336 2. ~~It~~ Avoids the use of unnecessary technical or
337 specialized language that is understood only by members of
338 particular trades or professions.

339 (c) An agency may hold public workshops for purposes of
340 rule development and information gathering for the preparation
341 of the statement of estimated regulatory costs. If requested in
342 writing by any affected person, an agency must hold public
343 workshops, including workshops in various regions of this ~~the~~
344 state or the agency's service area, for purposes of rule
345 development and information gathering for the preparation of the
346 statement of estimated regulatory costs ~~if requested in writing~~
347 ~~by any affected person,~~ unless the agency head explains in
348 writing why a workshop is unnecessary. The explanation is not
349 final agency action subject to review pursuant to ss. 120.569
350 and 120.57. The failure to provide the explanation when required

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

(d)1. An agency may use negotiated rulemaking in developing and adopting rules. The agency should consider the use of negotiated rulemaking when complex rules are being drafted or strong opposition to the rules is anticipated. The agency should consider, but is not limited to considering, whether a balanced committee of interested persons who will

negotiate in good faith can be assembled, whether the agency is willing to support the work of the negotiating committee, and whether the agency can use the group consensus as the basis for its proposed rule. Negotiated rulemaking uses a committee of designated representatives to draft a mutually acceptable proposed rule and to develop information necessary to prepare a statement of estimated regulatory costs, when applicable.

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

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

401 (3) ADOPTION PROCEDURES.—

402 (a) *Notices.*—

403 1. ~~Before~~ Prior to the adoption, amendment, or repeal of
404 any rule other than an emergency rule, an agency, upon approval
405 of the agency head, shall give notice of its intended action,
406 setting forth a short, plain explanation of the purpose and
407 effect of the proposed action; the proposed rule number and full
408 text of the proposed rule or amendment and a summary thereof; a
409 reference to the grant of rulemaking authority pursuant to which
410 the rule is adopted; and a reference to the section or
411 subsection of the Florida Statutes or the Laws of Florida being
412 implemented or interpreted. The notice must include a concise
413 summary of the agency's statement of the estimated regulatory
414 costs, if one has been prepared, based on the factors set forth
415 in s. 120.541(2) which describes the regulatory impact of the
416 rule in readable language; an agency website address where the
417 statement of estimated regulatory costs can be viewed in its
418 entirety; a statement that any person who wishes to provide the
419 agency with information regarding the statement of estimated
420 regulatory costs, or to provide a proposal for a lower cost
421 regulatory alternative as provided by s. 120.541(1), must do so
422 in writing within 21 days after publication of the notice; a
423 request for the submission of any information that could be
424 helpful to the agency regarding the statement of estimated
425 regulatory costs; and a statement as to whether, based on the

statement of the estimated regulatory costs ~~or other information~~
~~expressly relied upon and described by the agency if no~~
~~statement of regulatory costs is required~~, the proposed rule is
expected to require legislative ratification pursuant to s.
120.541(3). The notice must state the procedure for requesting a
public hearing on the proposed rule. Except when the intended
action is the repeal of a rule, the notice must include a
reference both to the date on which and to the place where the
notice of rule development that is required by subsection (2)
appeared.

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

3. The notice must ~~shall~~ be mailed or delivered
electronically to all persons named in the proposed rule and
mailed or delivered electronically to all persons who, at least
14 days before publication of the notice ~~prior to such mailing~~,
have made requests of the agency for advance notice of its

proceedings. The agency shall also give such notice as is prescribed by rule to those particular classes of persons to whom the intended action is directed.

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

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

1. Statement of estimated regulatory costs.—Before the adoption or ~~amendment, or repeal~~ of any rule, other than an emergency rule, an agency must ~~is encouraged to~~ prepare a statement of estimated regulatory costs of the proposed rule, as provided by s. 120.541. The statement must include a cost-benefit analysis that evaluates whether the projected benefits of the existing rule or proposed rule exceed its projected costs. However, an agency is not required to prepare a statement of estimated regulatory costs for a proposed rule repeal unless such repeal would impose a regulatory cost. In any challenge to a proposed rule repeal, a proposed rule repeal that only reduces

476 or eliminates regulations on those individuals or entities
477 regulated by the existing rule must be considered presumptively
478 correct in any proceeding before the division or in any
479 proceeding before a court of competent jurisdiction ~~However, an~~
480 ~~agency must prepare a statement of estimated regulatory costs of~~
481 ~~the proposed rule, as provided by s. 120.541, if:~~

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

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

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

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

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

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

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

500 (IV) Specially trained, licensed, or tested employees will

501 be required because of the rule;

502 (V) Operating costs are expected to increase by at least
503 \$1,000 annually because of the rule; or

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

506 b. Each agency, before the adoption, amendment, or repeal
507 of a rule, shall consider the impact of the rule on small
508 businesses as defined in ~~by~~ s. 288.703 and the impact of the
509 rule on small counties or small cities as defined in ~~by~~ s.
510 120.52. Whenever practicable, an agency shall tier its rules to
511 reduce disproportionate impacts on small businesses, small
512 counties, or small cities to avoid regulating small businesses,
513 small counties, or small cities that do not contribute
514 significantly to the problem the rule is designed to address. ~~An~~
515 ~~agency may define "small business" to include businesses~~
516 ~~employing more than 200 persons, may define "small county" to~~
517 ~~include those with populations of more than 75,000, and may~~
518 ~~define "small city" to include those with populations of more~~
519 ~~than 10,000, if it finds that such a definition is necessary to~~
520 ~~adapt a rule to the needs and problems of small businesses,~~
521 ~~small counties, or small cities.~~ The agency shall consider each
522 of the following methods for reducing the impact of the proposed
523 rule on small businesses, small counties, and small cities, or
524 any combination of these entities:

525 (I) Establishing less stringent compliance or reporting

requirements in the rule.

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

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

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

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

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

(II) Each agency shall adopt those regulatory alternatives offered by the rules ombudsman in the Executive Office of the Governor and provided to the agency no later than 21 days after the rules ombudsman's receipt of the written notice of the rule which it finds are feasible and consistent with the stated objectives of the proposed rule and which would reduce the impact on small businesses. When regulatory alternatives are offered by the rules ombudsman in the Executive Office of the Governor, the 90-day period for filing the rule in subparagraph

551 (e)2. is extended for a period of 21 days. The agency shall
552 provide notice to the committee of any regulatory alternative
553 offered to the agency pursuant to this sub-subparagraph at least
554 21 days before filing the proposed rule for adoption.

555 (III) If an agency does not adopt all alternatives offered
556 pursuant to this sub-subparagraph, it must ~~shall~~, before rule
557 adoption or amendment and pursuant to subparagraph (d)1., file a
558 detailed written statement with the committee explaining the
559 reasons for failure to adopt such alternatives. Within 3 working
560 days after the filing of such notice, the agency shall send a
561 copy of such notice to the rules ombudsman in the Executive
562 Office of the Governor.

563 (c) *Hearings.*—

564 1. If the intended action concerns any rule other than one
565 relating exclusively to procedure or practice, the agency must
566 ~~shall~~, on the request of any affected person received within 21
567 days after the date of publication of the notice of intended
568 agency action, give affected persons an opportunity to present
569 evidence and argument on all issues under consideration. The
570 agency may schedule a public hearing on the proposed rule and,
571 if requested by any affected person, must ~~shall~~ schedule a
572 public hearing on the proposed rule. When a public hearing is
573 held, the agency must ensure that the persons responsible for
574 preparing the proposed rule and the statement of estimated
575 regulatory costs ~~staff~~ are in attendance ~~available~~ to explain

the agency's proposal and to respond to questions or comments regarding the proposed rule, the statement of estimated regulatory costs, and the agency's decision on whether to adopt a lower cost regulatory alternative submitted pursuant to s. 120.541(1)(a). If the agency head is a board or other collegial body created under s. 20.165(4) or s. 20.43(3)(g), and one or more requested public hearings is scheduled, the board or other collegial body must ~~shall~~ conduct at least one of the public hearings itself and may not delegate this responsibility without the consent of those persons requesting the public hearing. Any material pertinent to the issues under consideration submitted to the agency within 21 days after the date of publication of the notice or submitted to the agency between the date of publication of the notice and the end of the final public hearing must ~~shall~~ be considered by the agency and made a part of the record of the rulemaking proceeding.

2. Rulemaking proceedings are ~~shall be~~ governed solely by ~~the provisions of~~ this section unless a person timely asserts that the person's substantial interests will be affected in the proceeding and affirmatively demonstrates to the agency that the proceeding does not provide adequate opportunity to protect those interests. If the agency determines that the rulemaking proceeding is not adequate to protect the person's interests, it must ~~shall~~ suspend the rulemaking proceeding and convene a separate proceeding under ~~the provisions of~~ ss. 120.569 and

120.57. The agency shall publish in the Florida Administrative Register a notice of convening a separate proceeding. Similarly situated persons may be requested to join and participate in the separate proceeding. Upon conclusion of the separate proceeding, the rulemaking proceeding shall be resumed. All timelines in this section are tolled during any suspension of the rulemaking proceeding under this subparagraph, beginning on the date the notice of convening a separate proceeding is published, and the timelines shall resume the day after conclusion of the separate proceedings, notice of which must be provided to the committee.

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

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

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

2. After the notice required by paragraph (a) and before

651 ~~prior to~~ adoption, the agency may withdraw the proposed rule in
652 whole or in part.

653 3. After the notice required by paragraph (a), the agency
654 must withdraw the proposed rule if the agency has failed to
655 adopt it within the prescribed timeframes in this chapter. If
656 the agency, 30 days after notice by the committee that the
657 agency has failed to adopt the proposed rule within the
658 prescribed timeframes in this chapter, has not given notice of
659 the withdrawal of the proposed rule, the committee must notify
660 the Department of State that the date for adoption of the rule
661 has expired, and the Department of State must publish a notice
662 of withdrawal of the proposed rule.

663 4. After adoption and before the rule becomes effective, a
664 rule may be modified or withdrawn only in the following
665 circumstances:

- 666 a. When the committee objects to the rule;
- 667 b. When a final order, which is not subject to further
668 appeal, is entered in a rule challenge brought pursuant to s.
669 120.56 after the date of adoption but before the rule becomes
670 effective pursuant to subparagraph (e)6.;
- 671 c. If the rule requires ratification, when ~~more than 90~~
672 ~~days have passed since the rule was filed for adoption without~~
673 the Legislature does not ratify ~~ratifying~~ the rule by the
674 adjournment sine die of the regular session immediately
675 following the filing for adoption of the rule, in which case the

rule must ~~may~~ be withdrawn, and within 90 days after adjournment
sine die, the agency:

(I) May initiate rulemaking again by publishing the notice
required under s. 120.54(3)(a); or

(II) Must initiate rulemaking again by publishing the
notice required by s. 120.54(3)(a), if the mandatory grant of
rulemaking authority the agency relied upon as authority to
pursue the original rule action is still in effect at the time
of the original rule's withdrawal ~~but may not be modified~~; or

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

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

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

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

1. If the adopting agency is required to publish its rules

701 in the Florida Administrative Code, the agency, upon approval of
702 the agency head, must electronically ~~shall~~ file with the
703 Department of State a ~~three~~ certified copy ~~copies~~ of the rule it
704 proposes to adopt; one copy of any material incorporated by
705 reference in the rule, certified by the agency; a summary of the
706 rule; a summary of any hearings held on the rule; and a detailed
707 written statement of the facts and circumstances justifying the
708 rule. Agencies not required to publish their rules in the
709 Florida Administrative Code shall file one certified copy of the
710 proposed rule, and the other material required by this
711 subparagraph, in the office of the agency head, and such rules
712 must ~~shall~~ be open to the public.

713 2. A rule may not be filed for adoption less than 28 days
714 or more than 90 days after the notice required by paragraph (a),
715 until 21 days after the notice of change required by paragraph
716 (d), until 14 days after the final public hearing, until 21 days
717 after a statement of estimated regulatory costs required under
718 s. 120.541 has been provided to all persons who submitted a
719 lower cost regulatory alternative and made available to the
720 public at a readily accessible page on the agency's website, or
721 until the administrative law judge has rendered a decision under
722 s. 120.56(2), whichever applies. When a required notice of
723 change is published before ~~prior to~~ the expiration of the time
724 to file the rule for adoption, the period during which a rule
725 must be filed for adoption is extended to 45 days after the date

726 of publication. If notice of a public hearing is published
727 before ~~prior to~~ the expiration of the time to file the rule for
728 adoption, the period during which a rule must be filed for
729 adoption is extended to 45 days after adjournment of the final
730 hearing on the rule, 21 days after receipt of all material
731 authorized to be submitted at the hearing, or 21 days after
732 receipt of the transcript, if one is made, whichever is latest.
733 The term "public hearing" includes any public meeting held by
734 any agency at which the rule is considered. If a petition for an
735 administrative determination under s. 120.56(2) is filed, the
736 period during which a rule must be filed for adoption is
737 extended to 60 days after the administrative law judge files the
738 final order with the clerk or until 60 days after subsequent
739 judicial review is complete.

740 3. At the time a rule is filed, the agency shall certify
741 that the time limitations prescribed by this paragraph have been
742 complied with, that all statutory rulemaking requirements have
743 been met, and that there is no administrative determination
744 pending on the rule.

745 4. At the time a rule is filed, the committee shall
746 certify whether the agency has responded in writing to all
747 material and timely written comments or written inquiries made
748 on behalf of the committee. The Department of State shall reject
749 any rule that is not filed within the prescribed time limits;
750 that does not comply with all statutory rulemaking requirements

751 and rules of the Department of State; upon which an agency has
752 not responded in writing to all material and timely written
753 inquiries or written comments; upon which an administrative
754 determination is pending; or which does not include a statement
755 of estimated regulatory costs, if required.

756 5. If a rule has not been adopted within the time limits
757 imposed by this paragraph or has not been adopted in compliance
758 with all statutory rulemaking requirements, the agency proposing
759 the rule must ~~shall~~ withdraw the proposed rule and give notice
760 of its action in the next available issue of the Florida
761 Administrative Register. If the agency has not published notice
762 of withdrawal of the rule during the 30 days after receiving
763 notice from the committee that the agency has failed to withdraw
764 the rule, the committee must notify the Department of State that
765 the date for adoption of the rule has expired, and the
766 Department of State must publish a notice of withdrawal of the
767 rule.

768 6. The proposed rule shall be adopted on being filed with
769 the Department of State and becomes ~~become~~ effective 20 days
770 after being filed, on a later date specified in the notice
771 required by subparagraph (a)1., on a date required by statute,
772 or upon ratification by the Legislature pursuant to s.
773 120.541(3). Rules not required to be filed with the Department
774 of State ~~shall~~ become effective when adopted by the agency head,
775 on a later date specified by rule or statute, or upon

776 ratification by the Legislature pursuant to s. 120.541(3). If
777 the committee notifies an agency that an objection to a rule is
778 being considered, the agency may postpone the adoption of the
779 rule to accommodate review of the rule by the committee. When an
780 agency postpones adoption of a rule to accommodate review by the
781 committee, the 90-day period for filing the rule is tolled until
782 the committee notifies the agency that it has completed its
783 review of the rule.

784
785 For the purposes of this paragraph, the term "administrative
786 determination" does not include subsequent judicial review.

787 (4) EMERGENCY RULES.—

788 (a) If an agency finds that an immediate danger to the
789 public health, safety, or welfare requires emergency action, or
790 if the Legislature authorizes the agency to adopt emergency
791 rules and finds that all conditions specified in this paragraph
792 are met, the agency may, within the authority granted to the
793 agency under the State Constitution or delegated to it by the
794 Legislature, adopt any rule necessitated by the immediate danger
795 or legislative finding. The agency may adopt a rule by any
796 procedure which is fair under the circumstances if:

797 1. The procedure provides at least the procedural
798 protection given by other statutes, the State Constitution, or
799 the United States Constitution.

800 2. The agency takes only that action necessary to protect

the public interest under the emergency procedure.

3. The agency publishes in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that the procedure used is fair under the circumstances. In any event, notice of emergency rules, other than those of educational units or units of government with jurisdiction in only one or a part of one county, including the full text of the rules and the agency's findings of immediate danger, necessity, and procedural fairness or a citation to the grant of emergency rulemaking authority, must ~~shall~~ be published in the first available issue of the Florida Administrative Register and provided to the committee along with any material incorporated by reference in the rules. The agency's findings of immediate danger, necessity, and procedural fairness are ~~shall be~~ judicially reviewable.

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

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

2. The proposed rules are awaiting ratification by the Legislature pursuant to s. 120.541(3). If the proposed rule is

826 not ratified during the next regular legislative session, the
827 emergency rule shall expire at adjournment sine die of that
828 regular legislative session. The proposed rule must be withdrawn
829 from ratification in accordance with s. 120.54(3)(d).

830
831 ~~Nothing in~~ This paragraph does not prohibit ~~prohibits~~ the agency
832 from adopting a rule or rules identical to the emergency rule
833 through the rulemaking procedures specified in subsection (3).

834 (e) Emergency rules must be published in the Florida
835 Administrative Code.

836 (f) An agency may supersede an emergency rule currently in
837 effect through adoption of another emergency rule. The agency
838 must state the reason for adopting the new rule, in accordance
839 with the procedures set forth in paragraph (a), and the new rule
840 must be in effect for the duration of the effective period of
841 the superseded rule. Technical changes to an emergency rule may
842 be made within the first 7 days after adoption of the rule.

843 (g) Any notice of the renewal of an emergency rule must be
844 published in the Florida Administrative Register before the
845 expiration of the existing emergency rule. The notice of renewal
846 must state the specific facts and reasons for the renewal
847 pursuant to paragraph (c).

848 (h) All emergency rules must be published in the Florida
849 Administrative Code in the section of the code dealing with the
850 agency.

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

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

(7) PETITION TO INITIATE RULEMAKING.—

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

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

120.541 Statement of estimated regulatory costs.—

(1)(a) Within 21 days after publication of the notice of a proposed rule or notice of change ~~required under s.~~

~~120.54(3)(a)~~, a substantially affected person may submit to an agency a good faith written proposal for a lower cost regulatory alternative to a proposed rule which substantially accomplishes the objectives of the law being implemented. The agency shall provide a copy of any proposal for a lower cost regulatory alternative to the committee at least 21 days before filing the proposed rule for adoption. The proposal may include the alternative of not adopting any rule if the proposal explains how the lower costs and objectives of the law will be achieved by not adopting any rule. If submitted after a notice of change, a proposal for a lower cost regulatory alternative is deemed to be made in good faith only if the person reasonably believes, and the proposal states the person's reasons for believing, that the proposed rule as changed by the notice of change increases the regulatory costs or creates an adverse impact on small businesses which was not created by the previous proposed rule. If such a proposal is submitted, the 90-day period for filing the rule is extended 21 days. Upon the submission of the lower cost regulatory alternative, the agency shall ~~prepare a statement of estimated regulatory costs as provided in subsection (2), or shall~~ revise its prior statement of estimated regulatory costs, and either adopt the alternative proposal,

901 reject the alternative proposal, or modify the proposed rule to
902 reduce the regulatory costs. If the agency rejects the
903 alternative proposal or modifies the proposed rule, the agency
904 must ~~or~~ provide a statement of the reasons for rejecting the
905 alternative in favor of the proposed rule.

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

912 ~~(b)(c)~~ The agency must ~~shall~~ revise a statement of
913 estimated regulatory costs if any change to the rule made under
914 s. 120.54(3)(d) increases the regulatory costs of the rule or if
915 the rule is modified in response to the submission of a lower
916 cost regulatory alternative. A summary of the revised statement
917 must be included with any subsequent notice published under s.
918 120.54(3).

919 ~~(c)(d)~~ At least 21 days before filing the proposed rule
920 for adoption, an agency that is required to revise a statement
921 of estimated regulatory costs shall provide the statement to the
922 person who submitted the lower cost regulatory alternative, to
923 the rules ombudsman in the Executive Office of the Governor, and
924 to the committee. The revised statement must be published and
925 made available in the same manner as the original statement of

926 estimated regulatory costs ~~and shall provide notice on the~~
927 ~~agency's website that it is available to the public.~~

928 (d)~~(e)~~ Notwithstanding s. 120.56(1)(c), the failure of the
929 agency to prepare and publish a statement of estimated
930 regulatory costs or to respond to a written lower cost
931 regulatory alternative as provided in this subsection is a
932 material failure to follow the applicable rulemaking procedures
933 or requirements set forth in this chapter.

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

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

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

943 (f)~~(g)~~ A rule that is challenged pursuant to s.
944 120.52(8)(f) may not be declared invalid unless:

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

947 2. The challenge is to the agency's rejection of a lower
948 cost regulatory alternative offered under paragraph (a) or s.
949 120.54(3)(b)2.c. ~~s. 120.54(3)(b)2.b.~~; and

950 3. The substantial interests of the person challenging the

rule are materially affected by the rejection.

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

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

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

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

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

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

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of

976 implementing and enforcing the proposed rule, and any
977 anticipated effect on state or local revenues.

978 (d) A good faith estimate of the compliance ~~transactional~~
979 costs likely to be incurred by individuals and entities,
980 including local government entities, required to comply with the
981 requirements of the rule. ~~As used in this section,~~
982 ~~"transactional costs" are direct costs that are readily~~
983 ~~ascertainable based upon standard business practices, and~~
984 ~~include filing fees, the cost of obtaining a license, the cost~~
985 ~~of equipment required to be installed or used or procedures~~
986 ~~required to be employed in complying with the rule, additional~~
987 ~~operating costs incurred, the cost of monitoring and reporting,~~
988 ~~and any other costs necessary to comply with the rule.~~

989 (e) An analysis of the impact on small businesses as
990 defined by s. 288.703, and an analysis of the impact on small
991 counties and small cities as defined in s. 120.52. The impact
992 analysis for small businesses must include the basis for the
993 agency's decision not to implement alternatives that would
994 reduce adverse impacts on small businesses.

995 (f) Any additional information that the agency determines
996 may be useful.

997 (g) In the ~~statement or~~ revised statement, ~~whichever~~
998 ~~applies,~~ a description of any regulatory alternatives submitted
999 under paragraph (1)(a) and a statement adopting the alternative
1000 or a statement of the reasons for rejecting the alternative in

1001 favor of the proposed rule.

1002 (3) If the adverse impact or regulatory costs of the rule
1003 exceed any of the criteria established in paragraph (2)(a), the
1004 rule must ~~shall~~ be submitted to the President of the Senate and
1005 Speaker of the House of Representatives no later than 30 days
1006 before ~~prior to~~ the next regular legislative session, and the
1007 rule may not take effect until it is ratified by the
1008 Legislature.

1009 (4) Subsection (3) does not apply to the adoption of:

1010 (a) Federal standards pursuant to s. 120.54(6).

1011 (b) Triennial updates of and amendments to the Florida
1012 Building Code which are expressly authorized by s. 553.73.

1013 (c) Triennial updates of and amendments to the Florida
1014 Fire Prevention Code which are expressly authorized by s.
1015 633.202.

1016 (d) Emergency rules adopted pursuant to s. 120.54(4).

1017 (5) For purposes of subsections (2) and (3), adverse
1018 impacts and regulatory costs likely to occur within 5 years
1019 after implementation of the rule include adverse impacts and
1020 regulatory costs estimated to occur within 5 years after the
1021 effective date of the rule. However, if any provision of the
1022 rule is not fully implemented upon the effective date of the
1023 rule, the adverse impacts and regulatory costs associated with
1024 such provision must be adjusted to include any additional
1025 adverse impacts and regulatory costs estimated to occur within 5

1026 years after implementation of such provision.

1027 (6) (a) In evaluating the impacts described in paragraphs
1028 (2) (a) and (e), an agency shall include good faith estimates of
1029 market impacts likely to result from compliance with the
1030 proposed rule, including:

1031 1. Increased customer charges for goods or services.

1032 2. Decreased market value of goods or services produced,
1033 provided, or sold.

1034 3. Increased costs resulting from the purchase of
1035 substitute or alternative goods or services.

1036 4. The reasonable value of time to be spent by owners,
1037 officers, operators, and managers to understand and comply with
1038 the proposed rule, including, but not limited to, time to be
1039 spent completing required education, training, or testing.

1040 5. Capital costs.

1041 6. Any other impacts suggested by the rules ombudsman in
1042 the Executive Office of the Governor or by any interested
1043 persons.

1044 (b) In estimating the information required in paragraphs
1045 (2) (b)-(e), the agency may use surveys of individuals,
1046 businesses, business organizations, counties, and municipalities
1047 to collect data helpful to estimate the costs and impacts.

1048 (c) In estimating compliance costs under paragraph (2) (d),
1049 the agency shall consider, among other matters, all direct and
1050 indirect costs necessary to comply with the proposed rule which

are readily ascertainable based upon standard business practices, including, but not limited to, costs related to:

1. Filing fees.
2. Expenses to obtain a license.
3. Necessary equipment.
4. Installation, utilities for, and maintenance of necessary equipment.
5. Necessary operations and procedures.
6. Accounting, financial, information management, and other administrative processes.
7. Other processes.
8. Labor based on relevant rates of wages, salaries, and benefits.
9. Materials and supplies.
10. Capital expenditures, including financing costs.
11. Professional and technical services, including contracted services necessary to implement and maintain compliance.
12. Monitoring and reporting.
13. Qualifying and recurring education, training, and testing.
14. Travel.
15. Insurance and surety requirements.
16. A fair and reasonable allocation of administrative costs and other overhead.

1076 17. Reduced sales or other revenues.

1077 18. Other items suggested by the rules ombudsman in the
1078 Executive Office of the Governor or by any interested person,
1079 business organization, or business representative.

1080 (7)(a) The Department of State shall include on the
1081 Florida Administrative Register website the agency website
1082 addresses where statements of estimated regulatory costs can be
1083 viewed in their entirety.

1084 (b) An agency that prepares a statement of estimated
1085 regulatory costs must provide, as part of the notice required
1086 under s. 120.54(3)(a), the agency website address where the
1087 statement of estimated regulatory costs can be read in its
1088 entirety to the Department of State for publication in the
1089 Florida Administrative Register.

1090 (c) If an agency revises its statement of estimated
1091 regulatory costs, the agency must provide notice that a revision
1092 has been made in the manner provided under s. 120.54(3)(d)1.
1093 Such notice must also include the agency website address where
1094 the revision can be viewed in its entirety.

1095 **Section 4. Section 120.5435, Florida Statutes, is created**
1096 **to read:**

1097 120.5435 Repromulgation of rules.—

1098 (1) It is the intent of the Legislature that each agency
1099 periodically review its rules for consistency with the powers
1100 and duties granted by its enabling statutes.

1101 (2) For rules promulgated before July 1, 2025, each agency
1102 shall include in its annual regulatory plan submitted pursuant
1103 to s. 120.74, beginning with the plan due on October 1, 2025, a
1104 schedule of the rules it will review each year during the 5-year
1105 rule review period ending on December 31, 2030. The agency may
1106 amend its yearly schedule in subsequent regulatory plans but
1107 must provide for the completed review of at least 20 percent of
1108 the agency's rules per year until all of its rules have been
1109 reviewed. Any variation from the schedule must be reflected in
1110 the agency's annual regulatory plan. This subsection shall stand
1111 repealed on January 31, 2031.

1112 (3) If an agency determines after review that substantive
1113 changes to update a rule are not required, such agency must
1114 repromulgate the rule to reflect the date of the review. All
1115 rules adopted, amended, or repromulgated on or after July 1,
1116 2025, must be reviewed within 5 years after their effective
1117 dates and every 5 years thereafter. Each agency shall review all
1118 existing rules pursuant to this section no later than December
1119 31, 2030. No later than July 31, 2025, the committee shall
1120 provide each agency with a list of existing rules and their
1121 effective dates. Failure of an agency to adhere to the deadlines
1122 imposed in this section constitutes a material failure to follow
1123 the applicable rulemaking procedures or requirements of this
1124 chapter and shall be the basis of an objection under s. 120.545.

1125 (4) Before repromulgation of a rule, the agency must, upon

1126 approval by the agency head or his or her designee:

1127 (a) Publish a notice of repromulgation in the Florida
1128 Administrative Register. A notice of repromulgation is not
1129 required to include the text of the rule being repromulgated.

1130 (b) File the rule for repromulgation with the Department
1131 of State. A rule may not be filed for repromulgation less than
1132 28 days, or more than 90 days, after the date of publication of
1133 the notice required by paragraph (a).

1134 (5) The agency must file a notice of repromulgation with
1135 the committee at least 14 days before filing the rule for
1136 repromulgation. At the time the rule is filed for
1137 repromulgation, the committee shall certify whether the agency
1138 has responded in writing to all material and timely written
1139 comments or written inquiries made on behalf of the committee.

1140 (6) A repromulgated rule is not subject to challenge as a
1141 proposed rule pursuant to s. 120.56(2).

1142 (7) The hearing requirements of s. 120.54 do not apply to
1143 repromulgation of a rule.

1144 (8) (a) The agency, upon approval of the agency head or his
1145 or her designee, shall electronically file with the Department
1146 of State a certified copy of the repromulgated rule it proposes
1147 to adopt and one certified copy of any material incorporated by
1148 reference in the rule.

1149 (b) The rule is considered to be repromulgated upon its
1150 filing with the Department of State.

1151 (c) The Department of State shall update the history note
1152 of the rule in the Florida Administrative Code to reflect the
1153 filing date of the repromulgated rule.

1154 (9) At least 90 days before each legislative session, the
1155 committee shall submit to the President of the Senate and the
1156 Speaker of the House of Representatives a list of all rules that
1157 have not been repromulgated in accordance with this section and
1158 identify whether the statutory rulemaking authority for each
1159 rule remains in effect. If no action is taken by the Legislature
1160 with regard to a rule during the next regular legislative
1161 session, each agency, within 14 days after the close of the
1162 session, must initiate rulemaking proceedings under chapter 120
1163 to repeal the rule.

1164 (10) The Department of State shall adopt rules to
1165 implement this section by December 31, 2025.

1166 **Section 5. Subsection (1) of section 120.545, Florida**
1167 **Statutes, is amended to read:**

1168 120.545 Committee review of agency rules.—

1169 (1) As a legislative check on legislatively created
1170 authority, the committee shall examine each existing rule and
1171 proposed rule, except for those proposed rules exempted by s.
1172 120.81(1)(e) and (2), and its accompanying material, and each
1173 emergency rule, ~~and may examine any existing rule,~~ for the
1174 purpose of determining whether:

1175 (a) The rule is an invalid exercise of delegated

1176 legislative authority.

1177 (b) The statutory authority for the rule has been
1178 repealed.

1179 (c) The rule reiterates or paraphrases statutory material.

1180 (d) The rule is in proper form.

1181 (e) The notice given before ~~prior to~~ its adoption was
1182 sufficient to give adequate notice of the purpose and effect of
1183 the rule.

1184 (f) The rule is consistent with expressed legislative
1185 intent pertaining to the specific provisions of law which the
1186 rule implements.

1187 (g) The rule is necessary to accomplish the apparent or
1188 expressed objectives of the specific provision of law which the
1189 rule implements.

1190 (h) The rule is a reasonable implementation of the law as
1191 it affects the convenience of the general public or persons
1192 particularly affected by the rule.

1193 (i) The rule could be made less complex or more easily
1194 comprehensible to the general public.

1195 (j) The rule's statement of estimated regulatory costs
1196 complies with the requirements of s. 120.541 and whether the
1197 rule does not impose regulatory costs on the regulated person,
1198 county, or city which could be reduced by the adoption of less
1199 costly alternatives that substantially accomplish the statutory
1200 objectives.

(k) The rule will require additional appropriations.

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

Section 6. Paragraphs (a), (b), and (c) of subsection (1) of section 120.55, Florida Statutes, are amended to read:

120.55 Publication.—

(1) The Department of State shall:

(a)1. Through a continuous revision and publication system, compile and publish electronically, on a website managed by the department, the "Florida Administrative Code." The Florida Administrative Code must ~~shall~~ contain all rules adopted by each agency, citing the grant of rulemaking authority and the specific law implemented pursuant to which each rule was adopted, all history notes as authorized in s. 120.545(7), complete indexes to all rules contained in the code, and any other material required or authorized by law or deemed useful by the department. The electronic code must ~~shall~~ display each rule chapter currently in effect in browse mode and allow full text search of the code and each rule chapter. The department may contract with a publishing firm for a printed publication; however, the department shall retain responsibility for the code as provided in this section. The electronic publication is ~~shall~~

1226 ~~be~~ the official compilation of the administrative rules of this
1227 state. The Florida Administrative Register must be published
1228 once each business day by 8 a.m., with the exception of state
1229 holidays or emergency closures of state agencies. If a rule,
1230 proposed rule, or notice of rule development is corrected and
1231 replaced, the corrected rule or notice must be published in the
1232 next available Florida Administrative Register with a notation
1233 indicating that the rule, proposed rule, or notice has been
1234 corrected by the Department of State. Any timeframes for
1235 rulemaking set forth in this chapter must revert to the initial
1236 date of publication.

1237
1238 The Department of State retains ~~shall retain~~ the copyright over
1239 the Florida Administrative Code.

1240 2. Not publish rules in the Florida Administrative Code
1241 which are general in form but applicable to only one school
1242 district, community college district, or county, or a part
1243 thereof, or state university rules relating to internal
1244 personnel or business and finance ~~shall not be published in the~~
1245 ~~Florida Administrative Code~~. Exclusion from publication in the
1246 Florida Administrative Code does ~~shall~~ not affect the validity
1247 or effectiveness of such rules.

1248 ~~3. At the beginning of the section of the code dealing~~
1249 ~~with an agency that files copies of its rules with the~~
1250 ~~department, the department shall publish the address and~~

1251 ~~telephone number of the executive offices of each agency, the~~
1252 ~~manner by which the agency indexes its rules, a listing of all~~
1253 ~~rules of that agency excluded from publication in the code, and~~
1254 ~~a statement as to where those rules may be inspected.~~

1255 3.4. Not publish forms shall not be published in the
1256 Florida Administrative Code; but any form which an agency uses
1257 in its dealings with the public, along with any accompanying
1258 instructions, shall be filed with the committee before it is
1259 used. Any form or instruction which meets the definition of
1260 "rule" provided in s. 120.52 must ~~shall~~ be incorporated by
1261 reference into the appropriate rule. The reference must ~~shall~~
1262 specifically state that the form is being incorporated by
1263 reference and must ~~shall~~ include the number, title, and
1264 effective date of the form and an explanation of how the form
1265 may be obtained. Each form created by an agency which is
1266 incorporated by reference in a rule notice of which is given
1267 under s. 120.54(3)(a) after December 31, 2007, must clearly
1268 display the number, title, and effective date of the form and
1269 the number of the rule in which the form is incorporated.

1270 4.5. Require all materials incorporated by reference in
1271 any part of an adopted rule and in any part of a repromulgated
1272 rule ~~The department shall allow adopted rules and material~~
1273 ~~incorporated by reference to be filed in the manner prescribed~~
1274 ~~by s. 120.54(1)(i)3.a. or b. electronic form as prescribed by~~
1275 ~~department rule.~~ When a proposed rule is filed for adoption or

1276 repromulgation with incorporated material in electronic form,
1277 the department's publication of the Florida Administrative Code
1278 on its website must contain a hyperlink from the incorporating
1279 reference in the rule directly to that material. The department
1280 may not allow hyperlinks from rules in the Florida
1281 Administrative Code to any material other than that filed with
1282 and maintained by the department, but may allow hyperlinks to
1283 incorporated material maintained by the department from the
1284 adopting agency's website or other sites.

1285 5. Include the date of any technical changes to a rule in
1286 the history note of the rule in the Florida Administrative Code.
1287 A technical change does not affect the effective date of the
1288 rule.

1289
1290 At the beginning of the section of the code dealing with an
1291 agency that files copies of its rules with the department, the
1292 agency shall publish the address and telephone number of the
1293 executive offices of each agency, the manner by which the agency
1294 indexes its rules, a listing of all rules of that agency
1295 excluded from publication in the code, and a statement as to
1296 where those rules may be inspected.

1297 (b) Electronically publish on a website managed by the
1298 department a continuous revision and publication entitled the
1299 "Florida Administrative Register," which shall serve as the
1300 official publication and must contain:

1301 1. All notices required by s. 120.54(2) and (3)(a),
1302 showing the text of all rules proposed for consideration.

1303 2. All notices of public meetings, hearings, and workshops
1304 conducted in accordance with s. 120.525, including a statement
1305 of the manner in which a copy of the agenda may be obtained.

1306 3. A notice of each request for authorization to amend or
1307 repeal an existing uniform rule or for the adoption of new
1308 uniform rules.

1309 4. Notice of petitions for declaratory statements or
1310 administrative determinations.

1311 5. A summary of each objection to any rule filed by the
1312 Administrative Procedures Committee.

1313 6. A list of rules filed for adoption in the previous 7
1314 days.

1315 7. A list of all rules filed for adoption pending
1316 legislative ratification under s. 120.541(3). A rule shall be
1317 removed from the list once notice of ratification or withdrawal
1318 of the rule is received.

1319 8. The full text of each emergency rule in effect on the
1320 date of publication.

1321 ~~9.8.~~ Any other material required or authorized by law or
1322 deemed useful by the department.

1323
1324 The department may contract with a publishing firm for a printed
1325 publication of the Florida Administrative Register and make

1326 copies available on an annual subscription basis.

1327 (c) Prescribe by rule the style and form required for
1328 rules, notices, and other materials submitted for filing,
1329 including a rule requiring documents created by an agency which
1330 are proposed to be incorporated by reference in notices
1331 published pursuant to s. 120.54(3)(a) and (d) to be coded in the
1332 same manner as notices published pursuant to s. 120.54(3)(a)1.

1333 **Section 7. Paragraph (a) of subsection (2) of section**
1334 **120.56, Florida Statutes, is amended to read:**

1335 120.56 Challenges to rules.—

1336 (2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.—

1337 (a) A petition alleging the invalidity of a proposed rule
1338 shall be filed within 21 days after the date of publication of
1339 the notice required by s. 120.54(3)(a); within 10 days after the
1340 final public hearing is held on the proposed rule as provided by
1341 s. 120.54(3)(e)2.; within 20 days after the statement of
1342 estimated regulatory costs or revised statement of estimated
1343 regulatory costs, if applicable, has been prepared and made
1344 available as provided in s. 120.54(1)(c) ~~s. 120.54(1)(d)~~; or
1345 within 20 days after the date of publication of the notice
1346 required by s. 120.54(3)(d). The petitioner has the burden to
1347 prove by a preponderance of the evidence that the petitioner
1348 would be substantially affected by the proposed rule. The agency
1349 then has the burden to prove by a preponderance of the evidence
1350 that the proposed rule is not an invalid exercise of delegated

legislative authority as to the objections raised. A person who is not substantially affected by the proposed rule as initially noticed, but who is substantially affected by the rule as a result of a change, may challenge any provision of the resulting proposed rule.

Section 8. Subsection (1) and paragraph (a) of subsection (2) of section 120.74, Florida Statutes, are amended to read:

120.74 Agency annual rulemaking and regulatory plans; reports.—

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

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

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

2. If rulemaking is necessary to implement the law:

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

b. The date by which the agency expects to publish the

notice of proposed rule under s. 120.54(3)(a).

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

(b) The plan must also identify and describe each rule, including each rule number or proposed rule number, which ~~include a listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to develop, adopt, or repeal for the 12-month period beginning on October 1 and ending on September 30 implement by rulemaking before the following July 1, excluding emergency rules except emergency rulemaking.~~ For each rule ~~law~~ listed under this paragraph, the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.

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

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

1401 2. If the agency has subsequently determined that
1402 rulemaking is not necessary to implement the law, the agency
1403 must ~~shall~~ identify such law, reference the citation to the
1404 applicable notice of rule development in the Florida
1405 Administrative Register, and provide a concise written
1406 explanation of the reason why the law may be implemented without
1407 rulemaking.

1408 (d) The plan must provide a list of all rules that have
1409 been repromulgated pursuant to s. 120.5435 over the previous 12
1410 months and identify any rules that are required to be
1411 repromulgated for the 12-month period beginning on October 1 and
1412 ending on September 30.

1413 (e)-(d) The plan must include a certification executed on
1414 behalf of the agency by both the agency head, or, if the agency
1415 head is a collegial body, the presiding officer; and the
1416 individual acting as principal legal advisor to the agency head.
1417 The certification must declare:

1418 1. ~~Verify~~ That the persons executing the certification
1419 have reviewed the plan.

1420 2. ~~Verify~~ That the agency regularly reviews all of its
1421 rules and identify the period during which all rules have most
1422 recently been reviewed to determine if the rules remain
1423 consistent with the agency's rulemaking authority and the laws
1424 implemented.

1425 3. That the agency understands that regulatory

1426 accountability is necessary to ensure public confidence in the
1427 integrity of state government and, to that end, the agency is
1428 diligently working toward lowering the total number of rules
1429 adopted.

1430 4. The total number of rules adopted and repealed during
1431 the previous 12 months.

1432 (f) Beginning October 1, 2025, each agency issuing
1433 licenses, as defined in s. 120.52, in accordance with s. 120.60
1434 shall track the agency's compliance with the licensing
1435 timeframes established in s. 120.60, and beginning October 1,
1436 2026, must include in the regulatory plan required by subsection
1437 (1) all of the following information regarding its licensing
1438 activities in the prior fiscal year, categorized by type of
1439 license:

1440 1. The number of license applications submitted to the
1441 agency.

1442 2. The number of license applications that required one or
1443 more requests for additional information.

1444 3. The number of license applications for which the
1445 applicant was nonresponsive to one or more requests for
1446 additional information.

1447 4. The number of license applications that were not
1448 completed by the applicant.

1449 5. The number of license applications for which the agency
1450 requested that the applicant grant an extension of time for the

1451 agency to issue a request for additional information, determine
1452 that an application is complete, or issue a decision to approve
1453 or deny an application.

1454 6. The number of license applications for which an
1455 extension was requested by the applicant and for which an
1456 extension was required by the state agency or judicial branch.

1457 7. The number of license applications that were not
1458 approved or denied within the statutory timeframe.

1459 8. The average and median number of days it takes the
1460 agency to approve or deny an application after receipt of a
1461 completed application.

1462 9. The number of license applications for which final
1463 agency action was appealed and the number of informal and formal
1464 hearings requested.

1465 (2) PUBLICATION AND DELIVERY TO THE COMMITTEE.—

1466 (a) By October 1 of each year, each agency shall:

1467 1. Publish its regulatory plan on its website or on
1468 another state website established for publication of
1469 administrative law records. A clearly labeled hyperlink to the
1470 current plan must be included on the agency's primary website
1471 homepage.

1472 2. Electronically deliver to the committee a copy of the
1473 certification required in paragraph (1)(e) ~~(1)(d)~~.

1474 3. Publish in the Florida Administrative Register a notice
1475 identifying the date of publication of the agency's regulatory

plan. The notice must include a hyperlink or website address providing direct access to the published plan.

Section 9. Subsections (11) and (20) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

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

(20) FLORIDA STATE GUARD.—Notwithstanding s. 120.52(17) ~~s. 120.52(16)~~, the enlistment, organization, administration, equipment, maintenance, training, and discipline of the Florida State Guard are not rules as defined by this chapter.

Section 10. Paragraphs (c) and (e) of subsection (1) of section 120.81, Florida Statutes, are amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(c) Notwithstanding s. 120.52(17) ~~s. 120.52(16)~~, any tests, test scoring criteria, or testing procedures relating to student assessment which are developed or administered by the Department of Education pursuant to s. 1003.4282, s. 1008.22, or s. 1008.25, or any other statewide educational tests required by

law, are not rules.

(e) Educational units, other than the Florida School for the Deaf and the Blind, shall not be required to make filings with the committee of the documents required to be filed by s. 120.54 or s. 120.55(1)(a)3 ~~s. 120.55(1)(a)4~~.

Section 11. Paragraph (a) of subsection (1) of section 420.9072, Florida Statutes, is amended to read:

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

(1)(a) In addition to the legislative findings set forth in s. 420.6015, the Legislature finds that affordable housing is most effectively provided by combining available public and private resources to conserve and improve existing housing and provide new housing for very-low-income households, low-income households, and moderate-income households. The Legislature intends to encourage partnerships in order to secure the benefits of cooperation by the public and private sectors and to reduce the cost of housing for the target group by effectively combining all available resources and cost-saving measures. The

Legislature further intends that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons, and community groups to produce affordable housing and provide related services. Extending the partnership concept to encompass cooperative efforts among small counties as defined in s. 120.52 ~~s. 120.52(19)~~, and among counties and municipalities is specifically encouraged. Local governments are also intended to establish an affordable housing advisory committee to recommend monetary and nonmonetary incentives for affordable housing as provided in s. 420.9076.

Section 12. Subsection (7) of section 420.9075, Florida Statutes, is amended to read:

420.9075 Local housing assistance plans; partnerships.—

(7) The moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund. A county or an eligible municipality may not exceed the 5-percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing

1551 assistance plan. The cost of administering the program may not
1552 exceed 10 percent of the local housing distribution plus 5
1553 percent of program income deposited into the trust fund, except
1554 that small counties, as defined in s. 120.52 ~~s. 120.52(19)~~, and
1555 eligible municipalities receiving a local housing distribution
1556 of up to \$350,000 may use up to 10 percent of program income for
1557 administrative costs.

1558 **Section 13. Paragraph (d) of subsection (1) of section**
1559 **443.091, Florida Statutes, is amended to read:**

1560 443.091 Benefit eligibility conditions.—

1561 (1) An unemployed individual is eligible to receive
1562 benefits for any week only if the Department of Commerce finds
1563 that:

1564 (d) She or he is able to work and is available for work.
1565 In order to assess eligibility for a claimed week of
1566 unemployment, the department shall develop criteria to determine
1567 a claimant's ability to work and availability for work. A
1568 claimant must be actively seeking work in order to be considered
1569 available for work. This means engaging in systematic and
1570 sustained efforts to find work, including contacting at least
1571 five prospective employers for each week of unemployment
1572 claimed. The department may require the claimant to provide
1573 proof of such efforts to the one-stop career center as part of
1574 reemployment services. A claimant's proof of work search efforts
1575 may not include the same prospective employer at the same

location in 3 consecutive weeks, unless the employer has indicated since the time of the initial contact that the employer is hiring. The department shall conduct random reviews of work search information provided by claimants. As an alternative to contacting at least five prospective employers for any week of unemployment claimed, a claimant may, for that same week, report in person to a one-stop career center to meet with a representative of the center and access reemployment services of the center. The center shall keep a record of the services or information provided to the claimant and shall provide the records to the department upon request by the department. However:

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

2. Notwithstanding any other provision of this chapter, an otherwise eligible individual who is in training approved under s. 236(a)(1) of the Trade Act of 1974, as amended, may not be determined ineligible or disqualified for benefits due to

enrollment in such training or because of leaving work that is not suitable employment to enter such training. As used in this subparagraph, the term "suitable employment" means work of a substantially equal or higher skill level than the worker's past adversely affected employment, as defined for purposes of the Trade Act of 1974, as amended, the wages for which are at least 80 percent of the worker's average weekly wage as determined for purposes of the Trade Act of 1974, as amended.

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

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

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

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

7. The work search requirements of this paragraph do not apply to persons required to participate in reemployment

1626 | services under paragraph (e).

1627 | **Section 14.** This act shall take effect July 1, 2025.