

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**RULE NO:** 61-35.003  
**ULE TITLE:** Board of Accountancy Departmental Forms  
**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to create Rule 61-35.003, F.A.C., to incorporate forms by reference.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed is Rule 61-35.003, F.A.C., in order to incorporate forms by reference.

**RULEMAKING AUTHORITY:** 455.203, 455.213, 455.2179 FS.

**LAW IMPLEMENTED:** 455.2179, 455.271, 474.207, 474.2125, 474.215, 474.217, 474.221, 456.076 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kevin Brown, Rules Coordinator, Division of Certified Public Accountants, Department of Business and Professional Regulation, 240 NW 76TH St. Suite A, Gainesville, FL, 32607, (352)333-2505.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-27.003  
**RULE TITLE:** Florida Endangered and Threatened Species List; Prohibitions

**PURPOSE AND EFFECT:** The Commission is considering revising the rule to make changes to rule provisions associated with species classified as Endangered, Threatened, or Species of Special Concern, and make changes to the Florida Endangered and Threatened Species List that 1) add the eastern black rail to the list as federally threatened, 2) update the status of the American burying beetle from federally endangered to federally threatened.

**SUBJECT AREA TO BE ADDRESSED:** American burying beetle, eastern black rail, endangered species, threatened species, species of special concern.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Claire Sunquist Blunden, Wildlife Diversity Conservation Section, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

## Section II

### Proposed Rules

**DEPARTMENT OF REVENUE**

RULE NOS.:	RULE TITLES:
12-9.001	Definitions
12-9.002	Certified Florida Property Appraiser/Certified Florida Evaluator and Certified Florida Collector/Certified Florida Collector Assistant Program
12-9.003	Qualifications
12-9.0031	Approval of Courses
12-9.0032	Departmental Sponsored Courses
12-9.004	Application for Certification
12-9.0055	Fees
12-9.006	Certification
12-9.007	Recertification
12-9.0077	Reinstatement
12-9.008	Hearing on Certification Application and Expiration

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule Chapter 12-9, F.A.C. (Certified Florida Property Appraiser and Certified Florida Tax Collector Program), is to provide updated requirements for property appraisers, tax collectors and their employees, and employees of the Department to obtain and renew professional certifications under the Program.

**SUMMARY:** The proposed amendments to Rule 12-9.001 update and clarify the definition of terms used for purposes of administering the Certified Florida Property Appraiser and Certified Florida Tax Collector Program (Program).

The proposed amendments to Rule 12-9.002 (Amend title to: Certified Florida Property Appraiser, Certified Florida Evaluator, Certified Cadastralist of Florida, Certified Florida Collector, and Certified Florida Collector Assistant Program) add Certified Cadastralist of Florida as a certification offered through the Program and provide the Department will publish an informational guide regarding the Program.

The proposed amendments to Rule 12-9.003 (Qualifications) establish updated criteria for the professional certification of property appraisers, tax collectors, their employees, and employees of the Department, and add the certification criteria for a cadastralist.

Proposed new Rule 12-9.0031 (Approval of Courses) provides criteria and procedures for approval of courses for credit towards certification, recertification, or reinstatement of a professional certification, and incorporates a new form for obtaining approval of a course or continuing education hours (Form DR-4002, Application for Approval of a Course or Continuing Education Credit Hours).

Proposed new Rule 12-9.0032 (Department Sponsored Courses) provides procedures for registrations, payments, cancellations, and refunds for Department-approved courses.

The proposed amendments to Rule 12-9.004 (Application for Certification) specifies procedures for those seeking professional certification and incorporates a new form to be used for this purpose (Form DR-4001, Application for Florida Professional Certification).

The proposed amendments to Rule 12-9.0055 (Amend to: Fees and Tuition) clarify the fee for obtaining and retaining professional certification under the Program and that fees and tuition for Department approved courses may be submitted to the Department online.

The proposed amendments to Rule 12-9.006 (Certification) clarify the certification approval process by the appropriate Admissions and Certification Committee.

The proposed amendments to Rule 12-9.007 (Recertification) provide updates to requirements for all certified professionals to annually certify their governmental employment, to acknowledge the Florida Code of Ethics for Public Officers and Employees that applies to all certified professionals, and to pay an annual recertification fee using the Application for Florida Professional Certification (Form DR-4001).

Proposed new Rule 12-9.0077 (Reinstatement) provides the procedures for an individual whose certification has lapsed to apply for reinstatement.

The repeal of Rule 12-9.008 (Hearing on Certification Application and Expiration) eliminates an unnecessary rule for requesting a hearing which is provided in Rule Chapter 28-106, F.A.C.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for a SERC was triggered under Section 120.541(1), F.S.; and, 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 195.002(2), 195.027(1) FS.

LAW IMPLEMENTED: 145.10, 145.11, 195.002, 195.087(4) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2021, 10:00 a.m.

PLACE: 2450 Shumard Oak Blvd., Building 2, Room 1220, Tallahassee, Florida.

SPECIAL COVID-19 CONSIDERATIONS: The Governor of the State of Florida has declared a state of emergency due to the COVID-19 pandemic. To minimize exposure to COVID-19 and help protect visitors and employees, Department offices are temporarily closed to the public. If Department offices remain closed to the public at the time of this hearing due to the COVID-19 pandemic, the hearing will take place using electronic media. Anyone wishing to participate in this public hearing must register at <https://attendee.gotowebinar.com/register/1779057504446212619>. Additional updates, including any potential developments regarding the closure status of Department offices, may be found on the Department's website at: <http://floridarevenue.com/rules/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mike Cotton at (850)617-8870. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Cotton, Property Tax Oversight Program, telephone 850-617-8870 or email [Mike.Cotton@floridarevenue.com](mailto:Mike.Cotton@floridarevenue.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

12-9.001 Definitions. The following definitions shall apply to this chapter:

(1) Official or officials: Individuals who are elected or appointed to the offices of county tax collector or county property appraiser in the State of Florida.

(2) Applicant: Individuals who apply for certification as a ~~the designation of~~ Certified Florida Appraiser, Certified Florida Evaluator, Certified Florida Collector, ~~or~~ Certified Florida Collector Assistant, ~~or~~ Certified Cadastralist of Florida.

(3) Department: The Florida Department of Revenue.

(4) ~~Chairperson; Chairman:~~ The individual who conducts the admissions and certifications committee meetings, and is a member of said committees.

(5) Professional designee: An elected or appointed official, an employee of such official or an employee of the Department who has met the requirements for certification as set forth in these rules.

(6) Executive Director: The Executive Director of the Department ~~of Revenue of Florida.~~

(7) State Associations: The Property Appraisers' Association of Florida, Inc., Florida Association of Property Appraisers, Inc., and Florida Tax Collectors, Inc.

~~(8) Calendar Year: From January 1 to December 31.~~

~~(8)(9) Committees: The Admissions and Certifications Committees for Certified Florida Appraisers/Certified Florida Evaluators/Certified Cadastralists of Florida and Certified Florida Collectors/Certified Florida Collector Assistants.~~

~~(9)(10) Committee Members: Officials who serve on either Admissions and Certifications Committee. Committee members who are property appraisers or tax collectors shall hold the designation of Certified Florida Appraiser or Certified Florida Collector.~~

~~(10)(11) Approved Course or Workshop: Any course, seminar, or workshop courses, seminars, or workshops approved by the Department Executive Director, or the Executive Director's designee, for credit application towards certification, or recertification, or reinstatement. Any course approved under the criteria and procedures described in Rule 12-9.0031, F.A.C., is an approved course. Courses, seminars, and workshops will be approved based upon content which will impart expertise in the area of tax administration, assessment, and collection in Florida.~~

~~(11)(12) Governmental Employment: Employment with a Florida county property appraiser, Florida county tax collector, or the Florida Department of Revenue.~~

~~(12) Department Sponsored: In reference to an approved course, a course for which the Department sets the agenda, arranges presenters or space, or collects tuition.~~

*Editor's note: The agency will renumber this rule to Rule 12D-19.011.*

Rulemaking Authority 195.002(2), ~~195.027(1)~~ ~~213.06(1)~~ FS. Law Implemented 145.10, 145.11, 195.002, ~~213.05~~ FS. History—New 4-2-81, Formerly 12-9.01, Amended 4-11-89, 12-30-97, \_\_\_\_\_.

12-9.002 Certified Florida ~~Property~~ Appraiser, ~~Certified Florida Evaluator, Certified Cadastralist of Florida, and Certified Florida Collector, and~~ Certified Florida Collector Assistant Program.

(1) A Certified Florida Appraiser, ~~Certified Florida Evaluator, Certified Cadastralist of Florida, and~~ Certified Florida Collector, ~~and~~ ~~/~~ Certified Florida Collector Assistant program ~~is shall be established and administered maintained~~ by the Department, ~~from its central office at Tallahassee, Florida. The administration of this program shall be the responsibility of the Department.~~

(2) The five certifications are:

(a) Certified Florida Appraiser (CFA).

(b) Certified Florida Evaluator (CFE).

(c) Certified Cadastralist of Florida (CCF).

(d) Certified Florida Collector (CFC).

(e) Certified Florida Collector Assistant (CFCA).

(3)(a) The CFA certification is reserved solely for elected or appointed Florida property appraisers.

(b) The CFE certification is available to employees of Florida county property appraisers and the Department.

(c) The CCF certification is available to property appraisers, employees of Florida county property appraisers and the Department.

(d) The CFC certification is reserved solely for elected or appointed Florida tax collectors.

(e) The CFCA certification is available to employees of Florida county tax collectors and the Department.

(4) The Department will publish an informational booklet or guide about the program presenting these rules, applicable forms, and approved courses. This guide is available on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx).

(5)(2) The Executive Director, or the Executive Director's designee, shall appoint two Admissions and Certifications Committees. One committee will administer the certification of persons as "Certified Florida Appraisers," and "Certified Florida Evaluators," and "Certified Cadastralists of Florida." Another committee will administer the certification of persons as "Certified Florida Collectors" and "Certified Florida Collector Assistants." The Executive Director, or the Executive Director's designee, shall serve as permanent chairperson ~~chairman~~. The Executive Director, or the Executive Director's designee, shall appoint nine members to each committee, one of whom shall be the president of the members' state association. Members of the committees will be appointed for

3 year terms, except for the presidents of ~~the state associations, The Florida Tax Collectors, Inc., Florida Association of Property Appraisers, Inc., and The Property Appraisers' Association of Florida, Inc.,~~ who shall serve a 1 year term concurrent with their term as president. All members shall serve at the pleasure of the Executive Director, or the Executive Director's designee.

~~(6)(3)~~ Five members shall constitute a quorum. No official action shall be taken without a quorum. The committees shall meet at the call of the ~~chairperson~~ chairman. The ~~chairperson~~ chairman shall appoint a permanent secretary to maintain records of actions of the committees and to keep other official records pertaining to the certification program.

~~(7)(4)~~ The duties of the committees ~~are~~ shall be:

(a) ~~to~~ To screen all applicants for certification;~~;~~ and

(b) ~~to~~ To recommend to the Department applicants who qualify for the professional designations.

*Editor's note: The agency will renumber this rule to Rule 12D-19.012.*

Rulemaking Authority 195.002(2), 195.027(1) ~~243.06(4)~~ FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New 4-2-81, Formerly 12-9.02, Amended 4-11-89, 12-19-89, 12-30-97, 4-5-16, \_\_\_\_\_.

#### 12-9.003 Qualifications.

(1) ~~To In order to~~ qualify for any of the certifications, professional designations, an applicant must have at least 2 years experience in a Florida property appraiser's office, a Florida tax collector's office, or with the Department. ~~To Provided, however, to~~ qualify for the special qualification salary, elected officials must meet all certification requirements set forth in these rules within 4 years after taking office. A person who is a Certified Florida Evaluator or a Certified Florida Collector Assistant upon being appointed or elected to office will be recognized as a Certified Florida Appraiser or Certified Florida Collector upon taking office.

(2) Applicants for a certification as a Certified Florida Appraiser, Certified Florida Evaluator, Certified Florida Collector, or Certified Florida Collector Assistant must attend a minimum of 120 hours of approved courses and pass properly monitored ~~written~~ examinations. Applicants for a certification as a Certified Cadastralist of Florida must attend a minimum of 150 hours of approved courses and pass properly monitored examinations. The 120 hours need not be continuous, but may be divided into 15 to 30 hour courses.

(3) ~~the tax collector's approved qualifying courses for certification as a Certified Florida Collector or a Certified Florida Collector Assistant curriculum~~ must include the following courses: course work as follows:

(a) Duties and Responsibilities of Florida Tax Collectors totaling 30 hours. ; and,

(b) Approved elective courses totaling 90 hours with properly monitored examinations.

(4) ~~the property appraiser's approved qualifying courses, as approved under subsection 12 9.001(11), F.A.C., for certification as a Certified Florida Appraiser or a Certified Florida Evaluator must include the following four courses as follows:~~

(a) A 30-hour course which includes instruction and examination on basic appraisal principles, types of value, and economic principles pertaining to the valuation of real property. A Certified Residential Appraiser license or Certified General Appraiser license issued by the Florida Real Estate Appraisal Board may be substituted for this course requirement. Fundamentals of Real Property Appraisal (International Association of Assessing Officers Course 101, or an approved course substitute);

(b) A 30-hour course which includes instruction and examination on procedures and methods regarding the income approach to estimating the value of real property. A Certified General Appraiser license issued by the Florida Real Estate Appraisal Board may be substituted for this course requirement. Income Approach to Valuation (International Association of Assessing Officers Course 102), or an approved course substitute; and,

(c) An additional 60 hours of Two other approved elective courses which include instruction and examination related to the professional designation to make up the remaining hours under subsection (2).

(5) The approved courses for a Certified Cadastralist of Florida certification must include the following courses:

(a) A 30-hour course which includes instruction and examination on mathematic principles for cadastral mappers.

(b) A 30-hour course which includes instruction and examination on the Public Land Survey System for the Cadastral Mapper.

(c) A 30-hour course which includes instruction and examination on real property descriptions.

(d) A 30-hour course which includes instruction and examination on basic map compilation.

(e) One 30-hour elective course which includes instruction and examination on principles, techniques, or applications of cadastral mapping.

~~(6)(5)~~ To receive credit for the above education requirements, applicants must be present in the classroom during all instructional hours and pass the required examination. Attendance in an online course qualifies as presence in the classroom. However, an An applicant who wishes to qualify for an initial certification may challenge an examination and receive credit for the this course and course hours without taking the course provided that the applicant makes a passing grade as determined by the course provider.

The applicant must provide documentation of passing the examination in the form of a certificate of completion or other documentation from the course provider by making application to the secretary and obtaining approval by the chairman to sit for the examination. The chairman may appoint proctors.

*Editor's note: The agency will renumber this rule to Rule 12D-19.013.*

Rulemaking Authority 195.002(2), 195.027(1) 243.06(4) FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New 4-2-81, Formerly 12-9.03, Amended 4-11-89, 12-19-89, 12-30-97, 1-2-01, xx-xx-xx.

#### 12-9.0031 Approval of Courses.

(1) Any course approved for credit towards certification, recertification, or reinstatement must be approved by the Department through one of the two methods provided in paragraphs (a) and (b) before the course is taken for credit. The courses must impart expertise in one of the following areas, as it relates to the professional designation of the requesting individual: professionally accepted appraisal practices, appropriate appraisal methodologies, cadastral mapping, tax administration, assessment, or collection in Florida. To be approved as a course for initial certification, the course must contain a monitored examination.

(a) Any course that meets the requirements of the applicable program and is approved by the Department for credit towards certification, recertification, or reinstatement is published on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx).

(b) Any course not found in the Department's list of approved courses will be approved for certification, recertification or reinstatement on a case-by-case basis by the Department's training staff. Approval is contingent upon documentation showing the proposed course imparts expertise in the relevant field.

1. For CFA and CFE certifications, continuing education courses must address topics within the following areas as they relate specifically to the functions of property appraisers:

a. Duties and role of property appraisers.

b. Duties and role of the Department.

c. State or federal appraisal law, including professionally accepted appraisal practices and appropriate appraisal methodologies.

d. Management of technology information systems.

e. Office management and personnel training as it relates to property appraiser offices.

f. Public administration.

g. Ethics training required by Section 112.3142, F.S.

2. For CFC and CFCA certifications, continuing education courses must address topics within the following areas as they relate specifically to the functions of tax collectors:

a. Duties and role of tax collectors.

b. Duties and role of the Department.

c. Duties and roles of state agencies for which tax collectors serve as an agent.

d. State or federal tax law.

e. Management of technology information systems.

f. Office management and personnel training as it relates to tax collector offices.

g. Public administration.

h. Ethics training required by Section 112.3142, F.S.

3. For CCF certification, continuing education courses must relate directly to cadastral mapping topics.

(2)(a) To obtain approval for a course, a completed Application for Approval of a Course or Continuing Education Credit Hours (Form DR-4002, incorporated by reference in Rule 12D-16.002, F.A.C.) must be submitted to the Department at least 20 days before the course start date. The application must include a detailed written description of the proposed course including course content, an agenda if available, number of hours of instruction and instructor's qualifications.

(b) The agenda or course description submitted must show quantifiable subject matter. Starting and ending times must be listed for each topic to be assigned hours, and include break and meal times. To be approved as a course for initial certification, the course must contain a monitored examination. Continuing education hours are awarded based on an hour per 50 minutes of classroom time.

(c) The Department will notify the requestor in writing of the approved course, the Department's course number, and the number of credit hours. This information will also be posted on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx).

(d) The Department will consider and approve qualifying substitutions of course presentations and instructors when unavoidable circumstances arise that prevent the course presentation. Before the substitute course presentation, the course provider must submit a detailed written description of the circumstances and the proposed substitution which demonstrates the substitute presentation and instructor meets the criteria of subsection (1).

*Editor's note: The agency will renumber this rule to Rule 12D-19.014.*

Rulemaking Authority 195.027(1) FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New \_\_\_\_\_.

12-9.0032 Department Sponsored Courses.

(1) Department sponsored courses will be announced at least 60 days before the course start date on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx). The continuing education courses include 4 hours of ethics training to meet the requirement of Section 112.3142, F.S., and continuing education hours for recertification or reinstatement.

(2)(a) After the Department announces a course, registration is open as space is available. The registration deadline will be included in the announcement. The registration period closes 15 business days before the course start date for courses in which course materials must be ordered in advance by the Department. The registration period closes 5 business days before the course start date for all other Department sponsored courses. Registrations are timely if made online or received by the Department on or before the close date. Course registrations cannot be accepted after the date the registration period closes.

(b) Participants may register and pay tuition using the Online Registration and Payment Portal at <https://taxapps.floridarevenue.com/ptoregpublic/>. Participants who are unable to register online may contact Property Tax Oversight Program Certification and Training for assistance by email at [PTOTraining@floridarevenue.com](mailto:PTOTraining@floridarevenue.com) or by calling (850) 717-6570.

(c) Participants are encouraged to register as early as possible. Classes are filled on a first come, first serve basis, once the registration and payment are received. Participants registering less than two weeks before the course start date may inquire whether space is available by contacting Property Tax Oversight Program Certification and Training by email at [PTOTraining@floridarevenue.com](mailto:PTOTraining@floridarevenue.com) or by calling (850) 717-6570. Student substitutions requested in writing will be accepted up to one week before the class.

(d) Registration is open to all interested parties on a space available basis. The registration process for external individuals is the same as those working for the property appraiser, tax collector, or Department.

(3) To cancel attendance at any Department sponsored course, a registrant must email the Department at [PTOTraining@floridarevenue.com](mailto:PTOTraining@floridarevenue.com).

(4) Portions of application, certification, and registration fees will be refunded upon a determination by the Department that the State is not entitled to the fees, or that only a portion of the resources have been expended in the processing of the application, certification, or registration. The Department will not issue a credit instead of a refund. To apply for a refund, the registrant must submit a completed Form DFS-AA-4, State of Florida, Department of Financial Services, Application for

Refund (incorporated by reference in Rule 69I-44.020, F.A.C.), and proof of payment to:

[PTOTraining@floridarevenue.com](mailto:PTOTraining@floridarevenue.com) or Florida Department of Revenue

Property Tax Oversight  
Certification and Training  
PO Box 3294  
Tallahassee, Florida

32315-3294.

Form DFS-AA-4 is available at [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx).

(5) When the number of students enrolled in a Department sponsored course is insufficient to adequately cover the costs of course administration, or the Department cannot secure an instructor, the course will be cancelled. The Department will notify students affected by a course cancellation by email at least ten business days before the scheduled course start date. Affected students may apply for a refund or opt to transfer course registration to another course in that program.

*Editor's note: The agency will renumber this rule to Rule 12D-19.015.*

Rulemaking Authority 195.027(1) FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New xx-xx-xx.

12-9.004 Application for Certification.

(1) An applicant for certification shall provide the Department the following:

(a) A completed ~~Application for Florida Professional Certification application form for certification (provided by the Department). The Department prescribes (Form DR-4001, DR-410, Application for Certified Florida Collector or Certified Florida Collector Assistant, Form DR-516 Application for Certified Florida Appraiser or Certified Florida Evaluator, which forms are hereby incorporated by reference in Rule 12D-16.002, F.A.C.), as the forms to be used for the purposes of this rule chapter. Form DR-4001 is available on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx). Copies of these forms may be obtained without cost by written request directed to the Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000.~~

(b) The originals or copies of certificates or other documents, course transcripts and current related professional licenses showing satisfactory completion of the required ~~committee approved~~ courses as set forth in these rules; and,

(c) Certification fee in an amount set as referenced in Rule 12-9.0055, F.A.C.

(2) Upon the committee's review of an application for certification, a majority vote of the members present is required

to approve an application. The ~~chairperson~~ ~~chairman~~ shall cast the deciding vote in the case of a tie.

(3) The ~~chairperson's~~ ~~chairman's~~ duties shall be:

(a) To set an agenda for each committee meeting;

(b) To call meetings based on need; ~~and~~ notify members; and give any public notice of date, time and location;

(c) To call all meetings to order and maintain proper parliamentary procedures;

(d) To distribute minutes of prior meetings;

(e) To prepare applicant files with summaries; and;

(f) To perform any other duties for the administration and operation of the educational programs.

*Editor's note: The agency will renumber this rule to Rule 12D-19.016.*

Rulemaking Authority 195.002(2), ~~195.027(1)~~ ~~243.06(1)~~ FS. Law Implemented 145.10, 145.11, 195.002, 195.087(4) FS. History—New 4-2-81, Formerly 12-9.04, Amended 4-11-89, 12-30-97, \_\_\_\_\_.

12-9.0055 Fees and Tuition.

(1) An applicant for certification will not be eligible for consideration by a committee until the certification fee is paid. Recertification fees are due January 1 of each year and are delinquent April 1. Certification and recertification fees shall be set as follows:

(a) All applicants shall pay an initial certification fee of \$25.00.

(b) All Certified Florida Appraisers, Certified Florida Collectors, Certified Florida Collector Assistants, ~~and~~ Certified Florida Evaluators, ~~and~~ Certified Cadastralists of Florida shall pay an annual recertification fee of \$5.00.

(c) All persons seeking reinstatement of a certification must pay a reinstatement fee of \$5.00.

(2) The Department will determine the cost of course tuition annually to ensure the Certification Program Trust Fund has sufficient funds to pay for program expenses. The Department will provide course tuition information by March 1 for the next county fiscal year (October 1 through September 30) on the Department's Certification and Training webpage [https://floridarevenue.com/property/Pages/Cofficial\\_Training.aspx](https://floridarevenue.com/property/Pages/Cofficial_Training.aspx).

(3) All fees and course tuition payments must be submitted to the Department by:

(a) using the Online Registration and Payment Portal <https://taxapps.floridarevenue.com/ptoregpublic/>, or

(b) mailing a check or money order made payable to the Florida Department of Revenue to:

Florida Department of Revenue  
Property Tax Oversight  
Certification and Training  
PO Box 3294  
Tallahassee, Florida 32315-3294.

~~(4)(2) The Department~~ ~~department~~ shall select a treasurer for each committee who shall be a ~~Department~~ ~~department~~ employee and who shall be responsible for the collection and deposit of monies and for the custody of the tangible assets accruing from the program. Such monies shall be deposited into and disbursed from the Certification Program Trust Fund in the State Treasury which shall contain such separate school accounts and program accounts as are required by Section 195.002(2), F.S. The ~~Department~~ ~~department~~ may incur expenses enumerated in Section 195.002(2), F.S., and shall authorize disbursements from the trust fund in the manner provided by law.

*Editor's note: The agency will renumber this rule to Rule 12D-19.017.*

Rulemaking Authority 195.002(2), ~~195.027(1)~~ ~~243.06(1)~~ FS. Law Implemented 145.10, 145.11, 195.002, 195.087(4) FS. History—New 4-11-89, Amended 12-19-89, 10-30-91, 12-30-97, \_\_\_\_\_.

12-9.006 Certification.

(1) No certification shall be ~~approved~~ issued by the Department until the provisions of Rule 12-9.004, F.A.C., are satisfied and the appropriate committee has recommended certification. The minutes of the meeting of the appropriate committee wherein a majority of the members present approved an application for certification or signatures of a majority of the members of a committee shall serve as evidence of approval.

(2) ~~To In order to~~ prorate the special qualification salary for property appraisers and tax collectors, the certification date shall begin the first day of the month following the date the last educational or other requirement for certification was met. ~~Employees are qualified for certification may be certified~~ as of the first day of the month following the date the last educational or other requirement for certification was met. Employees of property appraisers and tax collectors are eligible for a special salary only at the lawful discretion of the official ~~several officials or counties~~.

(3) ~~After the Executive Director, or the Executive Director's designee, is notified by a committee approves of the approval of a certification of an applicant, the Department will secretary shall~~ mail such person a certificate of accomplishment and a membership card in a format prescribed by the ~~Department Executive Director, or the Executive Director's designee~~. In addition, each professional designee will be issued a pin composed of the Great Seal of the State of Florida, with certification wording and the initials of the designation on the periphery of the state seal.

*Editor's note: The agency will renumber this rule to Rule 12D-19.018.*

Rulemaking Authority 195.002(2), ~~195.027(1)~~ ~~243.06(1)~~ FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New 4-2-81, Formerly 12-9.06, Amended 4-11-89, 12-30-97, \_\_\_\_\_.

## 12-9.007 Recertification.

(1)(a) To be recertified, Certified Florida Appraisers and Certified Florida Collectors must satisfactorily complete a minimum of 24 hours of ~~instruction~~ approved courses that meet the criteria of Rule 12-9.0031(1), ~~as described in subsection 12-9.001(11)~~, F.A.C., each calendar year and pay a recertification fee, as specified in Rule 12-9.0055(1)(b), F.A.C.

(b) To be recertified, Certified Florida Evaluators, Certified Cadastralists of Florida, and Certified Florida Collector Assistants must certify their governmental employment each calendar year and pay a recertification fee, as specified in Rule 12-9.0055(1)(b), F.A.C. At the discretion of each official, professional designees employed by such official may be required to maintain recertification by satisfactorily completing a designated number of continuing education hours.

(c) Professional designees applying for recertification must submit a completed Application for Florida Professional Certification (Form DR-4001, incorporated by reference in Rule 12D-16.002, F.A.C.) to the Department. Certification automatically expires if recertification as set forth in this rule is not maintained timely. ~~Other professional designees employed by counties may be required to maintain recertification at the discretion of the several officials or counties.~~

(2) Professional designees are exempted from the 24 hour recertification requirement and recertification fee for the calendar year in which the requirements for certification are met is obtained.

~~(3) To obtain approval of a recertification course not sponsored by the Department, a professional designee shall submit a detailed written description of the proposed course including course content, number of hours of instruction and instructor's qualifications, to the chairman at least 30 days prior to the beginning of the course, seminar or workshop.~~

(3) An applicant for recertification may not challenge a course examination.

(4) If a professional designee fails to meet recertification requirements set forth in this rule subsection (1) above, within the prescribed time, that professional designee's certification shall expire. Officials whose certifications expire shall be ineligible to receive the special qualifications salary provided in Sections 145.10 and 145.11, F.S. Such ineligibility shall continue until the official is reinstated as provided in these rules.

(5) When a certified official has become ineligible to receive the special qualifications salary by failure to meet recertification requirements, the Department shall notify the official by sending a written notice of the reason for such ineligibility ~~together with notice of the official's right of review under Rule 12-9.008, F.A.C.~~ The Department shall notify the appropriate disbursement office of such ineligibility. That

office shall withhold the prorated portion of the annual \$2,000 salary supplement until certification is reinstated as provided in Rule 12-9.0077, F.A.C. ~~these rules.~~

(6) Where a certified official has become ineligible to receive the special qualifications salary and continues to draw such compensation, the official shall be liable for full restitution and subject to appropriate legal action.

~~(7) Once a professional designee's certification has expired, that professional fulfills the recertification requirements in subsection (1) above, makes written application for reinstatement to the appropriate committee, and receives approval for reinstatement from the committee and Executive Director, or the Executive Director's designee. Application for reinstatement shall be considered by the committee at its next meeting.~~

~~(7)(8)~~ Certification shall be conditional upon a professional designee's governmental employment, and certification shall expire automatically without notice to the holder when a professional designee leaves governmental employment. A person who leaves governmental employment and fails to meet annual recertification requirements must, upon returning to governmental employment, follow the reinstatement procedures to become certified. If a person returns to governmental employment and timely meets the annual recertification requirements, that person remains certified and does not need to meet the reinstatement requirements. Each property appraiser and tax collector shall notify the Department chairman when a professional designee within the office leaves governmental employment.

~~(8)(9)~~ Upon written application and proof that the property appraiser has 20 years of service, the Executive Director may grant an annual waiver of the recertification requirements for any property appraiser who has reached 60 years of age.

~~(9)(10)~~ The Department shall maintain records of approved courses, attendance, dates, courses/workshops, approval dates, hours of courses/workshops, and all other information for the purpose of maintaining current records on all professional designees' certified officials' continuing education status accomplishments.

*Editor's note: The agency will renumber this rule to Rule 12D-19.019.*

Rulemaking Authority 195.002(2), 195.027(1) ~~213.06(1)~~ FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New 4-2-81, Formerly 12-9.07, Amended 4-11-89, 12-30-97, \_\_\_\_\_.

12-9.0077 Reinstatement.

(1) Once a professional designee's certification has expired, that person may apply to the Department for reinstatement. Such applicant must meet the reinstatement requirements in subsection (2), and receive approval for reinstatement from the Department and the committee.



Applications for reinstatement will be considered by the committee at its next meeting.

(2) The requirements for reinstatement are:

(a) For the professional designation for property appraisers and tax collectors, the professional must complete a minimum of 24 hours of approved continuing education courses which relate to their professional designation.

(b) For all professionals seeking reinstatement, the professional must submit a completed Application for Florida Professional Certification (Form DR-4001, incorporated by reference in Rule 12D-16.002, F.A.C.) certifying their governmental employment and reporting any continuing education courses required for reinstatement.

(c) For all professionals, pay the reinstatement fee set forth in Rule 12-9.0055(1)(c), F.A.C.

(3) Reinstatement is effective the first day of the month after the requirements of this rule have been met.

*Editor's note: The agency will renumber this rule to Rule 12D-19.020.*

Rulemaking Authority 195.002(2), 195.027(1) FS. Law Implemented 145.10, 145.11, 195.002 FS. History—New \_\_\_\_\_.

12-9.008 Hearing on Certification Application and Expiration.

Rulemaking Authority 195.002(2), 213.06(1) FS. Law Implemented 120.57, 145.10, 145.11, 195.002 FS. History—New 4-2-81, Formerly 12-9.08, Amended 4-11-89, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mike Cotton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 21, 2018 and October 28, 2020

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.:       RULE TITLE:

59A-3.270       Health Information Management

PURPOSE AND EFFECT: The Agency proposes to revise the rule based on changes to sections 395.1012 and 395.301, F.S., pursuant to HB843 effective July 1, 2019. The changes require the creation of forms to be adopted by rule. The form required by the revision to s. 395.1012, F.S. will provide specified information and data relating to patient safety and quality measures. The form required by the revision to s. 395.301, F.S. will be used to notify non-Medicare patients of observation status.

SUMMARY: This rule will address required hospital forms to be used for notification of observation status and patient safety/quality measures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 395.1055, 395.3015 FS.

LAW IMPLEMENTED: 395.1055, 395.1012, 395.301, 395.3015, 395.3025 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, January 14, 2021, 3:00 p.m. – 4:30 p.m.

PLACE: No public face-to-face meeting. This hearing will be conducted via teleconference. Participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 476-211-242#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jessica Munn, Hospital & Outpatient Services Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: A copy of the agenda may be obtained by contacting: Jessica Munn, Hospital and Outpatient Services Unit, Bureau of Health Facility Regulation, Jessica.Munn@ahca.myflorida.com or (850)412-4359. The