

CHAPTER 79-3

House Bill No. 642

An act relating to the Florida Statutes; amending ss. 116.161, 238.01(4), 379.03, 394.851(2), 397.12, 402.07(3), 402.181(1), 570.071, 775.13(5) (d), 903.03(2) (a), 917.215(2), 921.161(2), 921.18, 921.20, 921.21, 921.22, 921.231(1),(4), 922.11(2), 941.23(2) ,(3), 941.57, 944.02(1) ,(2) ,(4), 944.023(1), 944.025(1), 944.026(2), 944.05(3), 944.06(3), 944.063(1), 944.064(3), 944.08(1), 944.09(1), 944.091, 944.10(1), 944.11, 944.13, 944.14, 944.15, 944.16, 944.17, 944.18, 944.19(1), 944.23, 944.24(2), 944.25, 944.28(1), 944.293, 944.30, 944.31, 944.32, 944.36, 944.37, 944.38(1), 944.39, 944.43, 944.44, 944.49(1),(3), 944.50, 944.512(3), 944.52, 944.551(1), 944.57, 945.01(2),(3), 945.025(1), 945.031, 945.04, 945.045, 945.061, 945.065(1)-(3), 945.081, 945.09(1), 945.091(1) (a), 945.10, 945.12(1) ,(2), 945.13(1), 945.14(2), 945.16(2), 945.161, 945.17, 945.19, 945.20, 945.21(1) (g), 945.26(1), 945.27, 947.10, 948.01(2) ,(6), 949.08, 951.01, 951.02, 951.06(1), 951.07, 951.17, 951.18, 951.23(2), (3), and 951.24(3),(9), Florida Statutes; ss. 20.04(3), (5), 39.09(3) (d), 39.111(6) (c), 39.12(3) ,(4), ,120.54(3) 320.06(8), 322.16(1) (c), 394.459(9) (a), 790.001(8) (d), 843.01, 843.02, 921.16(2), 944.275(1), 944.291(1), 944.47(1) (a), 945.25(1), 945.30, 947.005(2),(3), 947.01(2), 947.13(2),947.135(2) (a), 947.16(1), 947.175(2), and 959.116(1) ,(4), Florida Statutes (1978 Supplement); s. 23.152(3) (a), Florida Statutes (1978 Supplement), enacted as s. 3(3) (a), chapter 78-420, Laws of Florida; s. 947.172(4), Florida Statutes (1978 Supplement), enacted as s. 21, chapter 78-417, Laws of Florida; and s. 958.03(1), Florida Statutes (1978 Supplement), enacted as s. 3(1), chapter 78-84, Laws of Florida; replacing references to the "Department of Offender Rehabilitation" with "Department of Corrections" and references to the "Secretary of Offender Rehabilitation" with "Secretary of Corrections" to conform to chapter 78-53, Laws of Florida, which changed the names of the department and its secretary.

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

Section 7. Subsection (3) of section 120.54, Florida Statutes (1978 Supplement), is amended to read:

120.54 Rulemaking; adoption procedures.--

(3) If the intended action concerns any rule other than one relating exclusively to organization, procedure, or practice, the agency shall, on the request of any affected person received within 14 days after the date of publication of the notice, give affected persons an opportunity to present evidence and argument on all issues under consideration appropriate to inform it of their contentions. Prisoners, as defined in s. 944.02(5), may be limited by the Department of Corrections ~~Offender Rehabilitation~~ to an opportunity to submit written statements concerning intended action on any department rule. The agency may schedule a public hearing on the rule and, if requested by any affected person, shall schedule a public hearing on the rule. Any material pertinent to the issues under consideration submitted to the agency within 14

days after the date of publication of the notice shall be considered by the agency and made a part of the record of the rulemaking proceeding.