

HOUSE BILL 1653

House Bill 1653 makes relatively minor changes in Chapter 120, the Administrative Procedure Act. Many of these changes result from judicial decisions.

A comma was added to the definition of "Agency" to resolve an ambiguity.

The definition of "Order" was amended to require orders to be filed with a person designated by the agency as a "clerk," in response to the new Appellate Rules and one court case.

The definition of "Party" was amended to clarify the intent that parolees are not entitled to certain proceedings in parole revocation hearings.

Agencies are permitted to appoint an official reporter to publish required subject matter indexes of orders in lieu of publishing the indexes themselves.

In response to judicial decisions, the word "adopted," which has resulted in some confusion was replaced by "filed for adoption," and it is made clear that a petition for an administrative determination suspends only the adoption of a rule and not the entire rulemaking process.

Agencies are required to certify that proposed rules are filed within prescribed time limits and that no administrative determination is pending. The Department of State is authorized to refuse to accept for filing, rules not so certified.

The Department of State is given authority to remove from the Code rules the authority for which has been repealed.

The number of copies of the Florida Administrative Code and the Florida Administrative Weekly furnished to the Joint Administrative Procedures Committee is increased from 7 to 10.

Educational units are required to give notice of declaratory statements in the same manner as they give notice of rules rather than in the Florida Administrative Weekly.