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THE FLORIDA LEGISLATURE  
**JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE**

October 24, 2022

Ms. Rebecca McGinn  
Assistant General Counsel  
Department of Management Services  
Office of the General Counsel  
4050 Esplanade Way  
Suite 160  
Tallahassee, Florida 32399-0950

**RE: Department of Management Services, Division of Facilities Management  
Proposed Rule Numbers 60H-6.004, .005, .007, .008, .0085 and .011**

Dear Ms. McGinn:

I have reviewed the above-referenced proposed rules, which were advertised in the Florida Administrative Register on October 18, 2022. I have the following comments.

**60H-6.005(4)** The portions of the rule designated (1) and (2) should be designated as (a) and (b). Please revise.

As written, the rule appears to provide that, for example, a demonstration on the steps of the Old Capitol could be forced to disband if someone adjudged that the activity was disrupting the functions of employees in the Capitol. Is this what was intended? Who makes this determination? How does this rule comport with the freedom of speech provisions found in both the Florida and Federal Constitutions?

**60H-6.008(1)** Who will make this determination and what criteria will be used to do so?

What parts of the Capitol Complex are visited by children that are not a traditional public forum? How will they be designated?

Ms. Rebecca McGinn

October 24, 2022

Page 2

Please let me know if you have any questions. Otherwise, I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharon Jones', with a stylized flourish at the end.

Sharon Jones  
Chief Attorney

SJ:tf #188969 #188971