

Notice of Development of Rulemaking

DEPARTMENT OF REVENUE

RULE NOS.:RULE TITLES:

12-9.001Definitions

12-9.002Certified Florida Property Appraiser/Certified Florida Evaluator and Certified Florida Collector/Certified Florida Collector Assistant Program

12-9.0022 Course Approval Procedures

12-9.0026 Registration

12-9.003Qualifications

12-9.004Application for Certification

12-9.0055 Fees

12-9.006Certification

12-9.007Recertification

12-9.0077 Reinstatement

12-9.008Hearing on Certification Application and Expiration

PURPOSE AND EFFECT: The purpose of this rulemaking is to modify the Department's rules related to certification and training procedures. The purpose of proposed amendments to Rule 12-9.001, F.A.C. (Definitions) is to better define words and terms used in the certification and training of local officials. The effect is clearer definitions used in the amended rule chapter. The purpose of proposed amendments to Rule 12-9.002, F.A.C. (Certified Florida Property Appraiser/Certified Florida Evaluator and Certified Florida Collector/Certified Florida Collector Assistant Program) is to update the rule title to Certified Florida Appraiser/Certified Florida Evaluator, Certified Florida Collector/Certified Florida Collector Assistant, and Certified Cadastralist of Florida Program; add Certified Florida Cadastralist to the list of certifications offered by the Department; and repeal provisions for the two admission and certification committees. The effect is that the professional certification program will be operated by the Department. The purpose of proposed new Rule 12-9.0022, F.A.C. (Course Approval Procedures) is to provide guidance regarding courses that are approved for certification purposes. This includes providing reference to courses that are pre-approved by the Department through a form incorporated for this purpose (DR-410ACL, Approved Course List), and updating procedures for course approval for courses that are not pre-approved by the Department. The effect is clarification of the course approval process. The purpose of proposed new Rule 12-9.0026, F.A.C. (Registration) is to provide procedures for registrations and refunds for Department-sponsored courses. The effect is clarification of steps necessary to enroll in a Department-sponsored course and to obtain a refund, if needed. The purpose of proposed amendments to Rule 12-9.003, F.A.C. (Qualifications) is to establish updated criteria for the professional certification of property appraisers, tax collectors, their employees, and employees of the Department. The effect of this proposed amended rule is clarification of the certification requirements. The purpose of proposed amendments to Rule 12-9.004, F.A.C. (Application for Certification) is to specify procedures for those seeking professional certification, provide reference to a form incorporated for this purpose (DR-410, Application for Florida Professional Certification), and repeal the need for committee approval of applications for certification. The effect of this proposed new rule is clarifying the application process. The purpose of proposed amendments to Rule 12-9.0055, F.A.C. (Fees) is to clarify the amount of fees, the process for setting tuition amounts, and the process for submitting all fees to the Department. The amendments also eliminate the requirement for a committee to review certification applications and repeal the requirement of a treasurer for each committee. The effect is to clarify the amount of, and submission process for, fees and to shift responsibility for the collection and administration of those fees to the Department. The purpose of proposed amendments to Rule 12-9.006, F.A.C. (Certification) is to move the responsibility to issue certifications from the committees to the Department. The effect is that the Department will have the responsibility to issue certifications in accordance with the updated procedures provided in Chapter 12-9, F.A.C. The purpose of proposed amendments to Rule 12-9.007, F.A.C. (Recertification) is to provide procedures for currently certified persons to renew their certification. The effect is to explain how to annually recertify with the Department. The purpose of proposed new Rule 12-9.0077, F.A.C. (Reinstatement) is to provide procedures for an individual whose certification has expired to apply for reinstatement of their certification. The effect is clarification of the reinstatement process. The purpose of repealing Rule 12-9.008, F.A.C. (Hearing on Certification Application

and Expiration) is to eliminate unnecessary rule language regarding the process to request a hearing if an application or reinstatement request is not approved. This language is already in Chapter 120, F.S., and applies here without specific language in the rule. The effect is to remove an unnecessary rule which is duplicative of statutory language. Rule text and agenda are posted on the Department's website at

<http://floridarevenue.com/rules>.

SUBJECT AREA TO BE ADDRESSED: Procedures implementing the training and certification program required by sections 145.10, 145.11, and 195.002, Florida Statutes.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 145.10, 145.11, 195.002, 195.087(4), 213.05 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 23, 2019, 10:00 a.m.

PLACE: Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, FL 32399.

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 days 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Cotton, Property Tax Oversight Program, telephone (850)617-8870 or email Mike.Cotton@floridarevenue.com.

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