

M E M O R A N D U M

TO: Governing Board Members

FROM: Maricruz R. Fincher, Office of Counsel

DATE: June 11, 2026

SUBJECT: Authorize Publication of a Notice of Proposed Rule in the Florida Administrative Register and Adopt Amendments to Rules 40E-7.511 and 40E-7.539, Florida Administrative Code, as Required by the District's 2025-2026 Regulatory Plan

Agenda Item Background:

During the 2025 legislative session, the Florida Legislature passed Senate Bill 108 (SB 108), which created section 120.5435, Florida Statutes (F.S.), and amended section 120.74, F.S. As part of the new requirements under SB 108, each agency, in coordination with the Joint Administrative Procedures Committee (JAPC), must review all of its existing rules by July 1, 2030. To comply with these requirements, the District's 2025-2026 Regulatory Plan included substantive changes to Rules 40E-7.511 and 40E-7.539 to ensure congruity with statutory authority.

The District proposes to delete language that paraphrases statutory provisions, delete a statutory reference that is obsolete, and correct a typographical error in rulemaking authority.

The District published a Notice of Rule Development on February 13, 2026. There were no public comments received or requests for a workshop. Upon Governing Board approval of the proposed rule language, District staff will publish a Notice of Proposed Rule in the Florida Administrative Register, and the public will have an additional 21 days to submit comments. After the time period to comment on the proposed rule concludes, if no request for a public hearing is received and no substantive changes are made, District staff will file the proposed rule for adoption with the Department of State.

Additional Item Background:

Core Mission and Strategic Priorities:

This rulemaking supports the District's responsibilities under Chapter 373, F.S.

Funding Source:

Rulemaking activities will be completed using in-house staff resources.

Staff Contact and/or Presenter:

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ATTACHMENTS:

[Resolution No. 2026-0607](#)

