

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing PCB: Rulemaking Oversight &  
2 Repeal Subcommittee  
3 Representative Santiago offered the following:  
4

5 **Amendment**

6 Remove lines 140-146 and insert:

7 (9) FAILURE TO COMPLY. Each agency shall file a  
8 certification with the committee upon compliance with subsection  
9 (6) and a separate certification of compliance with subsection  
10 (7) for each date upon which compliance is required by  
11 subsection (7). The date of compliance shall be noted in each  
12 certification. If an agency fails to comply with any requirement  
13 of subsections (1)-(8), the entire rulemaking authority  
14 delegated to the agency by the Legislature under any statute or  
15 law shall be suspended automatically as of the due date of the  
16 required action and shall remain suspended until the date the  
17 agency completes the required act, as noted in any certification

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18 of compliance, or until the end of the next regular session of  
19 the Legislature, whichever occurs first.

20 (a) During the period of any suspension under this  
21 subsection the agency has no authority to file rules for  
22 adoption under s. 120.54, but may complete any act required by  
23 this section.

24 (b) A suspension under this subsection does not authorize  
25 an agency to promulgate or apply any statement defined as a rule  
26 under s. 120.52(16).

27 (c) A suspension under this subsection shall toll the time  
28 requirements under s. 120.54 for filing any rule for adoption in  
29 a rulemaking proceeding the agency initiated before the date of  
30 the suspension, which time requirements shall resume on the date  
31 the suspension ends.

32 (d) This subsection does not suspend the adoption of  
33 emergency rules under s. 120.54(4) or rulemaking necessary to  
34 assure the state's compliance with federal law.  
35