

29 FAR 35 | 8/29/2003 | NOTICE OF PROPOSED RULES

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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MEETING DATE Wednesday, September 24, 2003

MEETING TIME 9:00:00

RULE NO 60Y-4.016

TITLE Assignment of Hearings

SPECIFIC AUTHORITY 120.52, 120.53, 120.54, 760.06(12), 760.11(14),
760.32(5) FS.

LAW IMPLEMENTED 120.52, 120.53, 120.533, 120.54, 120.542,
509.092, 23.167, 119, 760.01, 760.03, 760.05,
760.06, 760.10, 760.11, 760.30 FS.

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ORIGINATOR William James Tait, Jr., General Counsel

APPROVER Cecil Howard, Executive Director

PROPOSAL DATE 8/18/2003

PUBLISH DATE 8/1/2003

Purpose

The rule chapter provides for general procedures of the commission.

Summary

Many sections have been repealed in recognition of the Uniform Rules of Procedure. Two sections have been amended to recognize current statutory law and procedures.

Regulatory Costs

None. Any person who wishes to provide information regarding the statement of estimated regulatory cost, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

Notification

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

FULL TEXT OF THE PROPOSED RULE

60Y-4.016 Assignment of Hearings.

(1) A hearing upon a Petition for Relief from an Unlawful Employment Practice, a Housing Discriminatory Practice or a Public Accommodation Discriminatory Practice pursuant to Rules 60Y-54.008, 60Y-8.001 and 60Y-10.005, F.A.C., respectively shall be conducted by an Administrative Law Judge ~~a hearing officer~~ designated by the Division of Administrative Hearings unless, prior to service of the Notice of Hearing pursuant to Rule 60Y-4.021, F.A.C., the Chairperson or Chair of the Panel designates a Commissioner as the hearing officer or directs that the hearing be conducted by the Commission or Panel.

(2) A hearing upon a petition not described in subsection (1) shall be conducted by a hearing officer designated by the Chairperson or Chair of the Panel unless the Chairperson or Chair of the Panel directs that the hearing be conducted by the Commission or Panel.

(3) A hearing upon a petition not described in subsection (1) or (2) shall be conducted by a hearing officer designated by the Chairperson or Chair of the Panel unless the Chairperson

or Chair of the Panel directs that the hearing be conducted by the Commission or Panel.

Specific Authority 120.53, 760.06(13) FS. Law Implemented 120.53, 760.06, 760.03(5) FS. History-New 11-2-78, Formerly 9D-8.16, Amended 2-4-82, 6-16-83, Formerly 22T-8.16, 22T-8.016, Amended
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