

44 FAR 74 | 4/16/2018 | NOTICE OF PROPOSED RULES

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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MEETING DATE

MEETING TIME

RULE NO 60Y-5.0011

TITLE Answer

**RULEMAKING
AUTHORITY** 760.06(12), F.S.

**LAW
IMPLEMENTED** 760.11(1), F.S.

CONTACT Cheyanne Costilla

EMAIL Cheyanne.Costilla@FCHR.MyFlorida.com

PHONE (850) 488-7082

ORIGINATOR Cheyanne Costilla, General Counsel

APPROVER Michelle Wilson, Executive Director

PROPOSAL DATE 2/21/2018

PUBLISH DATE 4/9/2018

Purpose

The proposed rule amendment seeks to eliminate the section allowing respondents to amend an answer at any time prior to the issuance of a determination because of the delays it causes for the Florida Commission on Human Relations to conduct its investigations within 180 days, as required by Florida Statute.

Summary

Pursuant to Rule 60Y-5.003(3)-(4), F.A.C., the Florida Commission on Human Relations' Office of Employment Investigations may request of a respondent any information concerning the facts and circumstances of the complaint. The Commission is to provide the respondent with reasonable notice and an opportunity to provide requested information already, so the additional allotment of time to amend the answer in Rule 60Y-5.0011(b) is unnecessary.

Regulatory Costs

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is to a procedural rule and will have no economic impact and, therefore, will not require ratification. There are no applicable federal standards that relate to Rule 60Y-5.0011.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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 SCHEDULED AND ANNOUNCED IN THE FAR.

FULL TEXT OF THE PROPOSED RULE

60Y-5.0011 Answer.

~~(1)~~ Respondent may file an answer to the complaint within 25 days of the date the complaint was filed with the commission. The answer shall be verified. The person filing the answer shall mail a copy to the complaining party.

~~(2) The answer may be reasonably and fairly amended at any time prior to the issuance of a determination pursuant to Rule 60Y-5.004, F.A.C.~~

Rulemaking Authority 760.06(12) FS. Law Implemented 760.11(1) FS.
History-New 2-5-04, Amended 1-31-18, Amended xx-xx-xx.