

51 FAR 187 | 9/12/2025 | 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-3.001

TITLE Definitions

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

**LAW
IMPLEMENTED** 760.03, F.S.

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ORIGINATOR

APPROVER

PROPOSAL DATE

PUBLISH DATE

Purpose

The proposed amendment to rule 60Y- 60Y-3.001(8) strikes the "Department of Management Services" (DMS) from the definition of Division of Administrative Hearings (DOAH) to enforce DOAH's enabling statute which specifies DOAH is an independent budget entity and is not subject to DMS supervision in many key areas. This addresses concerns about impartiality and accountability.

60Y-3.001(14) strikes "General Counsel" to reflect the accurate title of the Commission's legal advisor.

60Y-3.001(30) specifies that electronic filing does not include filing by facsimile or email.

60Y-3.001(32) adds a definition of "vexatious litigant" as a person who engages in specific actions.

Summary

60Y-3.001(8) strikes the "Department of Management Services" (DMS) from the definition of Division of Administrative Hearings (DOAH) to enforce DOAH's enabling statute which specifies DOAH is an independent budget entity and is not subject to DMS supervision in many key areas.

This addresses concerns about impartiality and accountability.

60Y-3.001(14) strikes "General Counsel" to reflect the accurate title of the Commission's legal advisor.

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60Y-3.001(32) adds a definition of "vexatious litigant" as a person who engages in specific actions.

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 economic review conducted by the Agency.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

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(850) 907-6834;
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FULL TEXT OF THE PROPOSED RULE

60Y-3.001 Definitions.

As used in the rules of the Commission:

- (1) through (7) No change.
- (8) "Division of Administrative Hearings" means the Division of Administrative Hearings ~~of the Department of Management Services.~~
- (9) through (13) No change.
- (14) "General Counsel" means the Chief Legal Counsel ~~General Counsel~~ of the Commission.
- (15) through (18) No change.
- (19) "Panel" means a panel of three or more Commissioners appointed pursuant to Section 760.03(5), F.S., and paragraph 60Y-2.003(5) ~~(6)~~ (c), F.A.C.
- (20) through (29) No change.
- (30) "Electronic filing" or "e-filing" is the process of submitting a complaint to the Florida Commission on Human Relations (FCHR) electronically through the FCHR Portal on the FCHR website instead of the traditional paper-based methods means filing by facsimile at (850) 487-1007 or by email at Clerk@fchr.myflorida.com.
- (31) No change.
- (32) "Vexatious litigant" means a person who repeatedly files unmeritorious complaints (three (3) within a 12-month period) with the same or similar accusations in any jurisdiction, or has been previously declared a vexatious litigant by the Division of Administrative Hearings (DOAH) or by a court.

Specific Authority 760.06(12) FS. Law Implemented 92.525, 760.02, 760.03, 760.04, 760.05, 760.06, 760.10, 760.11 FS.
History-New 11-2-78, Amended 8-12-85, Formerly 22T-7.01, 22T-7.001, Amended 9-1-93, 4-17-01, 12-31-03, 12-7-22, **xx-xx-xx**.