

Chapter 88-367

House Bill No. 1159

AN ACT relating to the Administrative Procedure Act; amending s. 120.52, F.S.; redefining the term "rule"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (16) of section 120.52, Florida Statutes, is amended to read:

120.52. Definitions

As used in this act:

(16) "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the organization, procedure, or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule. The term does not include:

(c) The preparation or modification of:

1. Agency budgets.

2. STATEMENTS, MEMORANDA, OR INSTRUCTIONS TO STATE AGENCIES ISSUED BY THE COMPTROLLER AS CHIEF FISCAL OFFICER OF THE STATE AND RELATING OR PERTAINING TO CLAIMS FOR PAYMENT SUBMITTED BY STATE AGENCIES TO THE COMPTROLLER.

3.2 Contractual provisions reached as a result of collective bargaining.

4.3 Agricultural marketing orders under chapter 573 or chapter 601.

5.4 Curricula by an educational unit.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor July 6, 1988.

Filed in Office Secretary of State July 6, 1988.