

Section 120.565

CHAPTER 75-191

Section 6. Section 120.565, Florida Statutes is created to read:

Section 120.565, Florida Statutes, is created to read:

120.565 Declaratory statement by agencies.--Each agency shall provide by rule the procedure for the filing and prompt disposition of petitions for declaratory statements as to the applicability of any statutory provisions or of any rule or order of the agency. Agency disposition of petitions shall be final agency action.

CHAPTER 76-131

Section 7. Section 120.565, Florida Statutes, is amended to read:

120.565 Declaratory statement by agencies.--Each agency shall provide by rule the procedure for the filing and prompt disposition of petitions for declaratory statements as to the applicability of any statutory provisions or of any rule or order of the agency. The agency shall give notice of each petition and its disposition in the Florida Administrative Weekly and transmit copies of each petition and its disposition to the committee. Agency disposition of petitions shall be final agency action.

CHAPTER 78-425

Section 5. Section 120.565, Florida Statutes, is amended to read:

120.565 Declaratory statement by agencies.--Each agency shall provide by rule the procedure for the filing and prompt disposition of petitions for declaratory statements. A declaratory statement shall set out the agency's opinion as to the applicability of a specified ~~any~~ statutory provision or of any rule or order of the agency as it applies to the petitioner in his particular set of circumstances only. The agency shall give notice of each petition and its disposition in the Florida Administrative Weekly and transmit copies of each petition and its disposition to the committee. Agency disposition of petitions shall be final agency action.

CHAPTER 79-299

Section 5. Section 120.565, Florida Statutes, 1978 Supplement, is amended to read:

120.565 Declaratory statement by agencies.--Each agency shall provide by rule the procedure for the filing and prompt disposition of petitions for declaratory statements. A declaratory statement shall set out the agency's opinion as to the applicability of a specified statutory provision or of any rule or order of the agency as it applies to the petitioner in his particular set of circumstances only. The agency shall give notice of each petition and its disposition in the Florida Administrative Weekly, except that educational units shall give notice in the same manner as provided for rules in s. 120.54(1)(a), and transmit copies of each petition and its disposition to the committee. Agency disposition of petitions shall be final agency action.

CHAPTER 95-147

Section 760. Section 120.565, Florida Statutes, is amended to read:

120.565 Declaratory statement by agencies -Each agency shall provide by rule the procedure for the filing and prompt disposition of petitions for declaratory statements. A declaratory statement shall set out the agency's opinion as to the applicability of a specified statutory provision or of any rule or order of the agency as it applies to the petitioner in his or her particular set of circumstances only. The agency shall give notice of each petition and its disposition in the Florida Administrative Weekly, except that educational units shall give notice in the same manner as provided for rules in s. 120.54(1)(a), and transmit copies of each petition and its disposition to the committee. Agency disposition of petitions shall be final agency action.

CHAPTER 96-159

Section 1. It is the intent of the Legislature to consider the impact of any agency rulemaking required by proposed legislation and to determine whether the proposed legislation provides adequate and appropriate standards and guidelines to direct the agency's implementation of the proposed legislation.

Section 17. Section 120.565, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 120.565, F.S., for present text.)

120.565 Declaratory statement by agencies

(1) Any substantially affected person may seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances.

(2) The petition seeking a declaratory statement shall state with particularity the petitioner's set of circumstances and shall specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances.

(3) The agency shall give notice of the filing of each petition in the next available issue of the Florida Administrative Weekly and transmit copies of each petition to the committee. The agency shall issue a declaratory statement or deny the petition within 90 days after the filing of the petition. The declaratory statement or denial of the petition shall be noticed in the next available issue of the Florida Administrative Weekly. Agency disposition of petitions shall be final agency action.

CHAPTER 2013-14

Senate Bill No. 688

Section 9. Subsection (3) of section 120.565, Florida Statutes, is amended to read:

120.565 Declaratory statement by agencies.—

(3) The agency shall give notice of the filing of each petition in the next available issue of the Florida Administrative Register ~~Weekly~~ and transmit copies of each petition to the committee. The agency shall issue a declaratory statement or deny the petition within 90 days after the filing of the petition. The declaratory statement or denial of the petition shall be noticed in the next available issue of the Florida Administrative Register ~~Weekly~~. Agency disposition of petitions shall be final agency action.