



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 6, 2026

Jeremy W. Roberts
Agency Rules Coordinator
Department of Revenue
2450 Shumard Oak Blvd.
Tallahassee, Florida 32399-0400

Dear Jeremy Roberts:

Your adoption package for Rules 12D-17.001, .002, .003, .0035, .004, .005, .006, .007, .008, .009, and .010, F.A.C. was received, electronically, by the Florida Department of State, Administrative Code and Register at 12:27 p.m. on February 6, 2026. After review, it appears that the package meets statutory requirements and those of Rule 1-1.010, F.A.C. and is deemed filed for adoption at the time received, as indicated above. The effective date is February 26, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/wlh

From: [Janice Forrester](#)
To: [RuleAdoptions](#)
Cc: [Jeremy Roberts](#); [Mike Cotton](#)
Subject: DOR Chapter 12D-17 Certification
Date: Friday, February 6, 2026 12:27:05 PM
Attachments: [image001.png](#)
[image003.png](#)
[Certification Chapter 12D-17.pdf](#)
[Coded text 12D-17.docx](#)

EMAIL RECEIVED FROM EXTERNAL
SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon,

Please see the attached certification package for Chapter 12D-17, F.A.C. And the coded rule text in Word.

Thank you,

Janice Forrester
Revenue Program Administrator
PTO/Compliance Assistance
Florida Department of Revenue
(850) 617-8886
Janice.Forrester@floridarevenue.com

NOTIFICATION TO RECIPIENTS: The subject line of this email may indicate that this email has been sent unsecure. This is a default setting which in no way indicates that this communication is unsafe, but rather that the email has been sent unencrypted in clear text form. Revenue does provide secure email exchange. Please contact us if you need to exchange confidential information electronically.

If you have received this email in error, please notify us immediately by return email. If you receive a Florida Department of Revenue communication that contains personal or confidential information, and you are not the intended recipient, you are prohibited from using the information in any way. All record of any such communication (electronic or otherwise) should be destroyed in its entirety.

Cautions on corresponding with Revenue by email: Under Florida law, emails received by a state agency are public records. Both the message and the email address it was sent from (excepting any information that is exempt from disclosure under state law) may be released in response to a public records request.

Internet email is not secure and may be viewed by someone other than the person you send it to. Please do not include your social security number, federal employer identification number,

BEN ALBRITTON
President



Senator Erin Grall, Chair
Representative Tobin Rogers "Toby" Overdorf, Vice Chair
Senator Mack Bernard
Senator LaVon Bracy Davis
Senator Don Gaetz
Senator Thomas J. "Tom" Leek
Senator Carlos Guillermo Smith
Senator Clay Yarborough
Representative William "Bill" Conerly
Representative Chad Johnson
Representative Kim Kendall
Representative Leonard Spencer
Representative Debra Tendrich
Representative Meg Weinberger

DANIEL PEREZ
Speaker



KENNETH J. PLANTE
COORDINATOR
Room 680, Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1400
Telephone (850) 488-9110
Fax (850) 922-6934
www.japc.state.fl.us
japc@leg.state.fl.us

THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

CERTIFICATION

Department: Department of Revenue
Agency: Property Tax Oversight Program
Rule No(s): 12D-17.001, .002, .003, .0035, .004, .005, .006, .007, .008, .009, .010
File Control No: 197482

As required by subparagraph 120.54(3)(e)4 F.S., the Joint Administrative Procedures Committee hereby certifies that:

- There were no material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rule; or
- The adopting agency has responded in writing to all material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rules; or
- The adopting agency has not responded in writing to all material and timely written comments or written inquiries made on behalf of the Committee regarding the above listed rules.

Certification Date: 2/6/2026

This certification expires after: 2/13/2026

Certifying Attorney: Jamie Jackson

NOTE:

- The above certified rules include materials incorporated by reference.*
- The above certified rules do not include materials incorporated by reference.*



Florida Department of Revenue
Office of the Executive Director

Jim Zingale
Executive Director

5050 West Tennessee Street, Tallahassee, FL 32399

floridarevenue.com

February 6, 2026

Ms. Alexandra Leijon, Director
Florida Administrative Code and Register
Florida Department of State
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250

Re: Certification of Department of Revenue Rule

Dear Ms. Leijon:

The following Department of Revenue rule is presented for certification:

Rule 12D-17.001	Scope.
Rule 12D-17.002	Definitions.
Rule 12D-17.003	Truth in Millage ("TRIM") Compliance.
Rule 12D-17.0035	Instructions and Calculations.
Rule 12D-17.004	Taxing Authority's Certification of Compliance; Notification by Department.
Rule 12D-17.005	Taxing Authorities in Violation of Section 200.065, Florida Statutes.
Rule 12D-17.006	Notification of Noncompliance; Withholding and Escrow of State Revenue Sharing Funds.
Rule 12D-17.007	Taxing Authorities Failing to Timely File Certification; Forfeiture of State Revenue Sharing Funds.
Rule 12D-17.008	Computation of Time.
Rule 12D-17.009	Tax Roll Approval; Extended Time Frames; Method of Adjustment of Millage.
Rule 12D-17.010	Certification of Compliance and Application.

The following persons may be contacted regarding this rule certification:

Janice Forrester	(850) 617-8886	Janice.Forrester@floridarevenue.com
Mike Cotton	(850) 617-8870	Mike.Cotton@floridarevenue.com

Florida Department of Revenue
Building Two, Room 3500
2450 Shumard Oak Blvd.
Tallahassee, Florida 32399-0100

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeremy Roberts", with a stylized flourish at the end.

Jeremy Roberts
Agency Rules Coordinator

Attachments

CERTIFICATION OF DEPARTMENT OF REVENUE
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and
- (2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and
- (a) Are filed not more than 90 days after the notice; or
- (b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or
- (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or
- (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or
- (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or
- (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or
- (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or
- (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or
- (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the ombudsman in the Executive Office of the Governor.

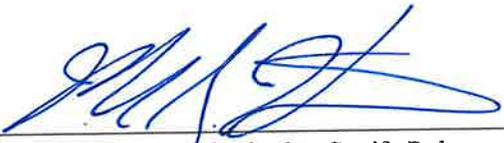
The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

- 12D-17.001
- 12D-17.002
- 12D-17.003
- 12D-17.0035
- 12D-17.004
- 12D-17.005
- 12D-17.006
- 12D-17.007
- 12D-17.008
- 12D-17.009
- 12D-17.010

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective Date: _____
(month) (day) (year)



Signature, Person Authorized to Certify Rules

General Counsel

Title

20

Number of Pages Certified

CERTIFICATION OF DEPARTMENT OF STATE
DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION

Pursuant to Section 120.695(2)(c)3., Florida Statutes, I certify as agency head, as defined by Section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

None

Rules covered by this certification:

12D-17.001
12D-17.002
12D-17.003
12D-17.0035
12D-17.004
12D-17.005
12D-17.006
12D-17.007
12D-17.008
12D-17.009
12D-17.010



Signature of Agency Head

Executive Director

Title

STATE OF FLORIDA
DEPARTMENT OF REVENUE
PROPERTY TAX OVERSIGHT PROGRAM
CHAPTER 12D-17, FLORIDA ADMINISTRATIVE CODE
TRUTH IN MILLAGE (“TRIM”) COMPLIANCE
AMENDMENTS TO RULE CHAPTER 12D-17, F.A.C.

SUMMARY OF PROPOSED RULE

The proposed amendments to Rule Chapter 12D-17, Truth in Millage (“TRIM”) Compliance, is to repeal obsolete rule provisions and references, update references, incorporate forms by reference, provide property appraisers the method to submit the TRIM Compliance Package using the Department’s OASYS Electronic Truth in Millage (eTRIM) internet-based system, and to clarify the TRIM compliance process.

The proposed amendments: (1) remove the obsolete rule reference to Chapter 12-10, F.A.C., from Rule 12D-17.001, F.A.C.; (2) update terms used in Chapter 12D-17 and remove obsolete terms no longer used from Rule 12D-17.002, F.A.C.; (3) incorporate forms and add eTRIM to the submission process, in Rule 12D-17.003, F.A.C.; (4) provide for calculations of budget information by school districts in Rule 12D-17.0035, F.A.C.; (5) provide instructions for taxing authorities and school districts to submit forms in the compliance process to the Department, provide for the electronic Truth in Millage system for completing requirements, and provide for the incorporation of forms by reference in Rule 12D-17.004, F.A.C.; (6) include updates to language in Rule 12D-17.005, F.A.C.; (7) update process for disbursement and provide for incorporation of referenced forms in Rule 12D-17.006, F.A.C.; (8) remove obsolete references to Chapter 12-10, F.A.C., as revised, and provide for the incorporation by reference of forms in Rule 12D-17.007, F.A.C.; (9) provide clarity by removing archaic language from Rule 12D-17.008, F.A.C.; (10) allow for sending TRIM notices electronically in Rule 12D-17.009, F.A.C.; and (11) provide for the incorporation by reference of forms in Rule 12D-17.010, F.A.C.

FACTS AND CIRCUMSTANCES JUSTIFYING PROPOSED RULE

The purpose of the proposed amendments to Rule Chapter 12D-17, F.A.C., is to reflect current law, to clarify the TRIM requirements, and to provide for submitting the required TRIM forms and documents using the Department's OASYS eTRIM internet-based system.

FEDERAL COMPARISON STATEMENT

The provisions contained in these proposed amended rules do not conflict with comparable federal laws, policies, or standards.

SUMMARY OF RULE DEVELOPMENT WORKSHOP HELD OCTOBER 15, 2025

The Department of Revenue published a Notice of Rule Development for proposed amendments to Rule Chapter 12D-17, F.A.C., in the Florida Administrative Register on September 26, 2025 (Vol. 51, No. 188, pp. 3654-3655). The Department scheduled a rule development workshop for October 15, 2025, if requested in writing. The Department received requests for the workshop and the workshop was held. The Department received no written comments on the rule amendments.

SUMMARY OF PUBLIC MEETING

DECEMBER 17, 2025

The Governor and Cabinet, sitting as head of the Department of Revenue, met on December 17, 2025, and approved the publication of the Notice of Proposed Rule for changes to Rule Chapter 12D-17, F.A.C., and the filing and certification of the rule with the Secretary of State a adoption pursuant to s. 120.54(3)(e)1., F.S., if the substance of the rule remain unchanged upon reaching the date applicable to filing for final adoption pursuant to s. 120.54(3)(e)2., F.S. A notice of the public meeting was published in the *Florida Administrative Register* on December 10, 2025 (Vol. 51, No. 238, pp. 4719-4720).

SUMMARY OF RULE HEARING SCHEDULED TO BE HELD JANUARY 9, 2026

A Notice of Proposed Rule was published in the *Florida Administrative Register* on December 19, 2025 (Vol. 51, No. 245, pp. 4823 - 4834), to advise the public of proposed changes to rules in Chapter 12D-17, F.A.C., and to

provide that if requested in writing within 21 days of the date of notice, a rule hearing would be held January 9, 2026. No timely request for a hearing was received by the agency, and no hearing was held. No comments were received.

STATE OF FLORIDA
DEPARTMENT OF REVENUE
PROPERTY TAX OVERSIGHT PROGRAM
CHAPTER 12D-17, FLORIDA ADMINISTRATIVE CODE
TRUTH IN MILLAGE (“TRIM”) COMPLIANCE
AMENDING CHAPTER 12D-17

12D-17.001 Scope.

(1) No change.

(2) In the event the taxing authority does not fulfill these requirements, ~~then~~ under the provisions of Sections ~~200.065(13)~~ ~~200.065(12)~~, 218.23(1) and 218.63(2), F.S., the taxing authority ~~will shall~~ not receive its share of state revenue sharing funds and ~~will shall~~ be subject to forfeiture of such funds. ~~In such event, the Department will withhold and escrow state revenue sharing funds pursuant to this rule and Chapter 12-10, F.A.C.~~

(3) No change.

(4) The Executive Director, or the Executive Director’s designee, ~~must shall~~ make determinations of compliance with the Truth in Millage (“TRIM”) laws and ~~must shall~~ otherwise administer the provisions of Chapters 200 and 218, F.S.

(5) Nothing contained in this rule chapter ~~will shall~~ serve to authorize or extend any millage in excess of the maximum millage authorized by law. See, for example, Sections 125.01(1)(q), 200.071, 200.081 and 200.091, F.S., and Article VII, section 9(b), Florida Constitution.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 195.002, 200.065, 200.068, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 10-30-91, _____.

12D-17.002 Definitions.

(1) The definitions applicable under this rule chapter are given the same meanings as the definitions provided in Sections 192.001, 197.102, 200.001(8) and 218.21, Florida Statutes. ~~shall be those set forth at Section 200.001(8) Florida Statutes, and Rules 12D-1.002 and 12-10.002, F.A.C.~~

(2) In addition, the following definitions apply:

(a) 1. “Adjacent to,” when used in reference to newspaper advertisements, means next to, touching or contiguous either at the sides or at the corners. This term includes a advertisements placed adjacent either on the same page or adjoining pages with a crease separating them, so that the advertisements may be seen to be adjacent with the newspaper laid open upon a flat surface. The term ~~does shall~~ not include advertisements placed on opposite sides of the same page with the edge of a page separating them.

2. When used in reference to an online advertisement, adjacent to means the advertisements must appear on one webpage, next to, touching or contiguous either at the sides or at the corners. If advertisements are posted using weblinks, the advertisements should appear adjacent to one another, visible on one page. Separate links leading to separate advertisements should not be used.

(b) “Certification date” means the date of certification by the property appraiser to each taxing authority within the county of the taxable value within each taxing authority on the Certification of Taxable Value (form DR-420) or Certification of School Taxable Value (form DR-420S) (form ~~Form~~ DR-420 or DR-420S, incorporated by reference in Rule 12D-16.002, F.A.C.) or ~~Form DR-420S~~, or July 1, whichever is later. The certification date ~~is shall be~~ day 1, the day from which other significant dates regarding TRIM compliance are calculated.

(c) through (d) No change.

(e) “Filing,” “filed,” or “file” means submission of the TRIM Compliance Package through the Department’s Oversight and Assistance System (OASYS) electronic portal using the Truth in Millage (eTRIM) application at <https://eportal.oasys.floridarevenue.com/>.

~~(f)(e)~~ “Final millage” ~~or “finally adopted millage”~~ means the millage finally adopted by a taxing authority pursuant to Section 200.065(2)(d), F.S.

~~(g)(f)~~ “Final budget” means the budget finally adopted by a taxing authority pursuant to Section 200.065(2)(d), F.S.

~~(g) “Filing,” “filed,” or “file” means mailing and postmark or actual delivery to the following address:~~

Mailing	or	Overnight Delivery
Department of Revenue		Department of Revenue
TRIM Compliance		TRIM Compliance
Post Office Box 3000		2450 Shumard Oak Boulevard, Room 2-3200
Tallahassee, Florida 32315-3000		Tallahassee, Florida 32399-0126

(850)617-8919

(h) "Fiscal year" means the 12-month period for local governments which begins October 1 and ends September

30.

(i)(h) "Operating expenditures" means all moneys of the taxing authority, including dependent special districts, which were or could be either expended during the applicable fiscal year, or retained as a balance for future spending in the fiscal year. The term does shall not include those moneys held in or used in trust, a agency, or internal service funds, or expenditures of bond proceeds for capital outlay or for advanced refunded debt principal.

(i) through (m) Renumbered as (j) through (n). No change.

(o)(n) "Taxing authority" includes, but is not limited to, any county, municipality, authority, special district as defined in Section 165.031(7) 165.031(5), F.S., or other public body of the state, any school district, library district, neighborhood improvement district created pursuant to the Safe Neighborhoods Act, metropolitan transportation authority, municipal service taxing or benefit unit (MSTU or MSBU), or water management district created under Section 373.069, F.S.

(o) through (p) Renumbered as (p) through (q) No change.

(r)(q) "TRIM notice" means the Notice of Proposed Property Taxes, (form Form DR-474, incorporated by reference in Rule 12D-16.002, F.A.C.), required by Sections 200.069 and 200.065(2)(b), F.S., required to be sent mailed by a property appraiser within 55 days of the certification date or 10 days after the tax roll is approved or the interim roll procedures under Section 193.1145, F.S., are instituted, whichever is later.

(s) "TRIM Compliance Package" means the set of documents that each taxing authority must submit to the Department to certify that they followed the TRIM requirements under Chapter 200, F.S.

(t)(r) "Unit of local government" means a county or municipal government, but does shall not include any special districts as defined by Section 165.031(7) or Chapters 189 and 218, F.S.

Rulemaking Authority 195.027(1), 218.26(1) FS. Law Implemented 192.048(1)(a), 195.002, 200.001(8), 200.065, 200.068, 218.21, 218.23, 218.33, 218.63 FS. History—New 6-20-91, Amended 12-27-94, 12-25-96, 6-13-22, 3-27-25.

12D-17.003 Truth in Millage ("TRIM") Compliance.

(1) It is the responsibility of the taxing authority to notify the Department, at the address stated in this rule

~~chapter~~, of its name, email address, mailing address, and the name of the person or official who is to receive all Truth in Millage ("TRIM") correspondence using the OASYS eTRIM system to add or update information. The Department ~~will~~ may use the information address on file by May 1 of each year to send in sending out any forms and associated correspondence by June 1 of that year.

(2) Compliance with this rule chapter ~~by shall be necessary in order for~~ a taxing authority is necessary to be considered in compliance with Section 200.065, F.S. For purposes of this rule chapter, day 1 is the certification date, ~~which shall be day 1, shall be the date of certification of the taxable value by the property appraiser on Form DR-420,~~ or July 1, whichever is later.

(3) A taxing authority other than a school district must:

(a) Compute a proposed millage rate using not less than 95 percent of the taxable value certified to it pursuant to Section 200.065(1), F.S. For purposes of the calculation of the proposed millage rate by a special district, the determination by the Department of Commerce pursuant to Chapter 189, F.S., of the dependent or independent status of the district ~~is shall~~ be prima facie evidence of such status. Principal taxing authorities (counties and cities) ~~must shall~~ use 95 percent of the taxable value in each district or unit in which a millage is levied. Multicounty taxing authorities ~~must shall~~ use 95 percent of the taxable value within their jurisdiction in each county in which the millage is levied.

(b) Advise the property appraiser, on ~~form Form~~ DR-420, of its proposed millage rate, of its rolled-back rate computed pursuant to Section 200.065(1), F.S., and of the date, time and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. This advisement ~~must shall~~ be made within 35 days of the certification date. If the taxing authority fails to timely provide such information, as required by Section 200.065(2)(b), F.S., it ~~will shall~~ be prohibited from levying a millage rate greater than the rolled-back rate. One ~~form Form~~ DR-420 ~~must shall~~ be prepared for operating millage for each county, each special district, each municipality, and each taxing authority subordinate to a county or municipality. For each multicounty taxing authority, one ~~form Form~~ DR-420 ~~must shall~~ be prepared for each county in which the operating millage is levied. The property appraiser is required to ~~send mail the notice of proposed property taxes,~~ the TRIM notice, within 55 days after the certification date. This notice serves as the notice of the tentative millage and budget hearing.

(c) Hold a public hearing on the tentative millage rate and budget, on or after 10 days after sending the mailing of the TRIM notice and within 80 days but not earlier than 65 days after the certification date, scheduled as required

by Section ~~200.065(2)(c)~~ ~~200.065(2)(e)2~~, F.S.

(d) through (e) No change.

(f) Certify the adopted millage to the property appraiser and the tax collector, submitting copies of the resolutions or ordinances. These submissions ~~must shall~~ be made within 3 days from the date of the final budget hearing and thus within 101 days of the certification date.

(g) Execute the Certification of Final Taxable Value, (~~form Form~~ DR-422, incorporated by reference in Rule 12D-16.002, F.A.C.), showing the adopted millage rate and return it to the property appraiser, tax collector, and the Department within 3 days from receipt of the certification from the property appraiser. In the event variance in taxable value so certified for municipalities, counties, and water management districts is more than 1 percent from that initially certified by the property appraiser on the Certification of Taxable Value, ~~form Form~~ DR-420, then as provided by Section ~~200.065(6)~~ ~~200.065(5)~~, F.S., the municipality, county or water management district may administratively adjust its adopted millage rate without a public hearing. Any other taxing authority, except a school district, may administratively adjust its millage if the taxable value is at variance by more than 3 percent. The adjustment ~~must shall~~ be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to taxable value on the roll to be extended. No adjustment ~~can shall~~ be made to levies required by law to be a specific millage amount.

(h) Certify compliance with Chapter 200, F.S., to the Department, on the Certification of Compliance (form Form DR-487, incorporated by reference in Rule 12D-16.002, F.A.C.), within 30 days after adoption of the ordinance or resolution establishing a property tax millage levy, as provided elsewhere in this rule chapter.

(4) A school district must:

(a) No change.

(b) Prepare, through the superintendent, and submit the tentative budget to the school board, and the school board ~~must shall~~ approve or amend the tentative budget for advertising, within 24 days after the certification date, in accordance with Section 200.065(2)(a)3. and Chapter 1011, F.S.

(c) No change.

(d) Hold the tentative budget hearing on or after 2 days and within 5 days from the day the advertisement is first published, scheduled as required by Section ~~200.065(2)(f)1.~~ ~~200.065(2)(e)2~~, F.S. Therefore, the tentative budget hearing ~~must shall~~ be held within 34 days from the certification date.

(e) Advise the property appraiser, on the Certification of School Taxable Value (form ~~Form~~ DR-420S, incorporated by reference in Rule 12D-16.002, F.A.C.), of its proposed millage rate within 35 days of the certification date. The property appraiser is required to send mail the notice of proposed property taxes, the TRIM notice, within 55 days of the certification date. This notice serves as the notice of the final millage and budget hearing.

(f) No change.

(g) Certify the adopted millage to the property appraiser and the tax collector. These submissions must shall be made within 3 days from the date of the hearing, and ~~thus~~ within 101 days of the certification date.

(h) Execute the Certification of Final Taxable Value, form ~~Form~~ DR-422, showing the adopted millage rate and return it to the property appraiser, tax collector, and the Department within 3 days from receipt of the certification from the property appraiser. In the event variance in taxable value so certified is more than 1 percent from that initially certified by the property appraiser on the Certification of Taxable Value, form ~~Form~~ DR-420, then as provided by Section 200.065(6) ~~200.065(5)~~, F.S., the school district may administratively adjust its adopted millage rate without a public hearing. The adjustment must shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to taxable value on the roll to be extended. No adjustment can shall be made to levies required by law to be a specific millage amount.

(i) Certify compliance with Chapter 200, F.S., to the Department, on form ~~Form~~ DR-487, within 30 days following adoption of the ordinance or resolution establishing a property tax millage levy, as provided in this rule chapter.

Rulemaking Authority 195.027(1), 218.26(1) FS. Law Implemented 129.03, 195.002, 200.065, 200.068, 218.21, 218.23, 218.63, 1011.62 FS. History—New 6-20-91, Amended 1-11-94, 4-18-94, 12-27-94, 12-25-96, 12-31-98, 6-13-22, 3-27-25, _____.

12D-17.0035 Instructions and Calculations.

(1) Rolled-back rate. Specific instructions for calculating the rolled-back rate are contained in the Truth in Millage (TRIM) TRIM compliance instructions for completing a Certification of Taxable Value (form ~~Form~~ DR-420, incorporated by reference in Rule 12D-16.002, F.A.C.). ~~The In general,~~ the calculation of the rolled-back rate

must shall include all millages exclusive of voted debt service levies and millages in excess of the 10 mill cap pursuant to Section 200.071, F.S.

(2)(a) Percent increase over the current year rolled-back rate of tentative millage. The calculation is: current year aggregate tentative millage divided by the current year aggregate rolled-back rate, minus 1.00, times 100, equals the percent to publish in the Notice of Tax Increase advertisement. The In other words, the actual calculation is would be:

$((\text{current year aggregate tentative millage} / \text{current year aggregate rolled-back rate}) - 1.00) \times 100$	=	percent to <u>publish in the advertise</u> <u>in</u> Notice of Tax Increase advertisement.
--	---	---

(b) Percent increase over the rolled-back ~~rolled-back~~ rate of final millage. The calculation is: current year final millage divided by the current year rolled-back rate, minus 1.00, times 100 equals the percent to state in the ordinance or resolution as required by Section 200.065(2)(d), F.S. The In other words, the actual calculation is would be:

$((\text{current year final millage} / \text{rolled-back rate}) - 1.00) \times 100$	=	percent to state in resolution or ordinance
---	---	---

(3) Taxing Authorities and School Districts: Calculation of proposed, tentative, and final budgets, proposed and final millage rates, and ad valorem proceeds. In calculating these figures, Section 200.065(2)(a)1., F.S., requires each taxing authority to use not less than 95 percent of the taxable value certified to it by the property appraiser. This is at least 95 percent of the gross taxable value appearing on line 4 of the form Form DR-420 or a Certification of School Taxable Value (form Form DR-420S, incorporated by reference in Rule 12D-16.002, F.A.C.).

(a) The calculation of the tentative budget or ad valorem proceeds is:

Line 4 of <u>form Form</u> DR-420 or <u>form Form</u> DR-420S \times $\times .95 \times$ tentative millage rate =	the absolute minimum of ad valorem proceeds to use for tentative budget purposes
--	---

(b) The calculation of the final budget or ad valorem proceeds is:

Line 4 of <u>form Form</u> DR-420 or <u>form Form</u> DR-420S $\times .95 \times$ final millage rate =	the absolute minimum of ad valorem proceeds to use for final budget purposes
---	---

(4) Budget summary advertisement. The advertised budget must shall remain in balance. The tentative millages stated in the budget summary advertisement must shall be the millages the taxing authority is proposing to levy, and

~~must shall~~ be tied to the anticipated ad valorem proceeds resulting from each millage. Each tentative millage must shall be displayed in the budget summary advertisement. However, each millage may be divided and allocated to one or more funds or budgets, provided it is readily apparent in the advertisement that the sum of the millages is less than or equal to the respective proposed millage. The proceeds must shall be displayed in the appropriate fund or budget to which they are to be deposited.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 195.002, 200.065, 200.068, ~~213.05~~, 218.21, 218.23, 218.63, 1011.62(4) FS. History—New 6-20-91, Amended _____.

12D-17.004 Taxing Authority’s Certification of Compliance; Notification by Department.

(1) If an ordinance or resolution establishing a property tax millage levy is adopted, the taxing authority must file the TRIM Compliance Package including a Certification of Compliance (form ~~Form~~ DR-487, incorporated by reference in Rule 12D-16.002, F.A.C.), with the Department within 30 days following the adoption of the levy.

(2)(a) For taxing authorities other than school districts, the certification of compliance must be made by filing the following items with the Department:

1. A copy of the Certification of Taxable Value, ~~Form~~ (form DR-420, incorporated by reference in Rule 12D-16.002, F.A.C.).

2. through 3. No change.

4. Proof of publication of ~~The entire page from the print edition of the newspaper or the entire webpage from an Internet only publication, containing the~~ final budget hearing advertisement, which is the notice of proposed tax increase advertisement required by Sections 200.065(2)(d) and (3)(a), F.S., or the notice of budget hearing advertisement required by Sections 200.065(2)(d) and (3)(b), F.S., whichever is appropriate, and which is required to be adjacent to the budget summary advertisement. For multicounty taxing authorities, proof of publication of the ~~entire page from the newspaper or the entire webpage from an Internet only publication, containing the~~ notice of proposed tax increase advertisement or notice of tax increase advertisement required by Sections 200.065(2)(d), (3)(a), (3)(g) and (9), F.S., or the notice of budget hearing advertisement required by Sections 200.065(2)(d), (3)(b), (3)(e) and (8), F.S., and which is required to be adjacent to the budget summary advertisement.

5. Proof of publication of ~~The entire page from the print edition of the newspaper or the entire webpage from an Internet only publication, containing the~~ budget summary advertisement required by Sections 200.065(3)(l) and

129.03(3)(b), F.S., adjacent to the advertisement required by subparagraph ~~paragraph~~ 4. of this paragraph ~~rule subsection above~~.

6. ~~Proof~~ Proof(s) of publication ~~from the newspaper~~ of the notice of tax increase or notice of proposed tax increase advertisement or notice of budget hearing advertisement, and the adjacent budget summary advertisement. In the event notice is not published but is mailed according to Section 200.065(3)(f), F.S., a taxing authority must submit a certification of mailing from the post office with a copy of the notices.

7. For counties only, a copy of the Notice of Tax Impact of the Value Adjustment Board advertisement described in Section 194.037, F.S., and Rule 12D-9.038, F.A.C. (~~the entire page from the print edition of the newspaper or the entire webpage from an Internet only publication~~).

8. For counties only, proof of publication of the notice of tax impact of the value adjustment board advertisement. If the value adjustment board completes its hearings after the deadline for certification under Section 200.068, F.S., the county ~~must~~ shall submit this item to the Department within 30 days from the completion of the hearings.

9. A copy of the Certification of Final Taxable Value, ~~form~~ Form DR-422, if the property appraiser has issued one as of this date. If the taxing authority has not received this certification, ~~then~~ the taxing authority ~~must~~ shall file the remainder of the certification package with the Department within the deadline and ~~shall~~ file the certification ~~form~~ Form DR-422 as soon as it is received.

10. through 12. No change.

13. Form DR-487V, Vote Record for Final Adoption of Millage Levy.

14. Form DR-422DEBT, Certification of Final Voted Debt Millage, if used.

15. Certification of Compliance, ~~form~~ Form DR-487.

The forms listed above are incorporated by reference in Rule 12D-16.002, F.A.C.

(b) For school districts, the certification of compliance must be made by filing the following items with the Department:

1. A copy of the Certification of School Taxable Value, ~~form~~ Form DR-420S.

2. A copy of Department of Education ~~form~~ Form ESE-524.

3. No change.

4. Proof of publication of the tentative budget hearing advertisement ~~from the newspaper pursuant to Chapter~~

~~50, F.S., or a publicly accessible website pursuant to Chapter 50.0311, F.S.~~

5. The entire page from the print edition of the newspaper or the entire webpage from an Internet-only publication containing the budget summary advertisement, required by Sections 200.065(3)(l) and 129.03(3)(b), F.S., adjacent to the advertisement required by ~~subparagraph~~ ~~sub-paragraph~~ 4 of this paragraph.

6. through 8. No change.

9. Copy of the Certification of Final Taxable Value, ~~form Form~~ DR-422, if the property appraiser has issued one as of this date. If the school district has not received this certification, ~~then~~ the remainder of the certification package ~~must shall~~ be filed with the Department within the deadline and ~~file form DR-422 the certification shall be~~ ~~filed~~ as soon as it is received.

10. A copy of Certification of Voted Debt Millage, ~~form Form~~ DR-420DEBT, if used.

11. through 12. No change.

13. Copy of the Certification of Final Voted Debt Millage, ~~form Form~~ DR-422DEBT, if used.

14. Certification of Compliance, ~~form Form~~ DR-487.

The forms listed above are incorporated by reference in Rule 12D-16.002, F.A.C.

(3) The Department provides an internet-based system, OASYS eTRIM (electronic Truth in Millage) at <https://eportal.oasys.floridarevenue.com/>, for taxing authorities, including school districts, to complete and submit the forms and documents required for certification of compliance with Chapter 200, F.S., Determination of Millage, and for conforming to the maximum millage limitation requirements in Section 200.065(5), F.S. Using OASYS eTRIM, property appraisers will be able to electronically certify value data to municipalities and independent special districts in their counties. Counties, municipalities, and independent special districts, including water management districts, will be able to complete and return forms to the property appraiser containing information for inclusion in the Notice of Proposed Property Taxes, form DR-474, incorporated by reference in Rule 12D-16.002, F.A.C., and will be able to submit information and documentation to the Department. For more information about OASYS eTRIM, contact the TRIM section at TRIM@floridarevenue.com.

(4)(3) If no ordinance or resolution establishing a property tax millage levy is adopted, then on or before November 1, a unit of local government ~~must shall~~ file a certification, ~~on Form DR-421~~, with the Department that the requirements of Section 200.065, F.S., if applicable, were met. The certification must be filed on a Certification for Taxing Authorities that Do Not Levy Ad Valorem Taxes, (form DR-421, incorporated by reference in Rule 12D-

16.002, F.A.C.)

(5)(4) The Department ~~will~~ ~~shall~~ notify each taxing authority which has made a complete filing and which is in compliance with this rule section and Section 200.065, F.S.

Rulemaking Authority 195.027(1), 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 12-25-96, 12-31-98, 11-1-12, 6-13-22, 3-27-25,_____.

12D-17.005 Taxing Authorities in Violation of Section 200.065, Florida Statutes.

(1) The Department ~~must~~ ~~shall~~ review the TRIM Compliance Package including the Certification of Compliance, (~~form Form~~ DR-487, incorporated by reference in Rule 12D-16.002, F.A.C.), made by the taxing authority, if filed, in the respects set forth elsewhere in this rule chapter. If the taxing authority or school district has made an incomplete filing or is otherwise found to be in violation of any of the statutory elements, the Department ~~must~~ ~~shall~~ make such a determination and ~~shall~~ ~~so~~ notify the taxing authority or school district.

(2)(a) The Department ~~must~~ ~~shall~~ regard as major any violation or combination of violations of Section 200.065 or 200.068, F.S., which tend to misinform taxpayers whether or not such violation is specifically identified in the following guidelines.

(b) Where a violation is specified or found to be major, the taxing authority ~~must~~ ~~shall~~ be required to readvertise and rehold hearing(s). The specification of a violation as minor in the guidelines ~~must~~ ~~shall~~ not preclude the Department from considering it to be major where the surrounding circumstances indicate it to be major.

(c) The guidelines in this paragraph ~~are~~ ~~shall~~ be used by the Department based on the impact of the violation on the Truth in Millage (“TRIM”) process.

1. Failure to State Tentative Millage in Budget Summary Advertisement – Sections 200.065(3)(h), (j) and (l), 129.03(3)(b), F.S.

Major. The taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s).

2. Advertisement Too Small (Notice of Tax Increase, Notice of Proposed Tax Increase, Notice of Tax for School Capital Outlay, Amended Notice of Tax For School Capital Outlay, etc.) – Section 200.065(3), F.S.

Major, unless the taxing authority made an attempt to comply and the error was not the fault of the taxing authority but of the newspaper that printed the advertisement. The taxing authority ~~will~~ ~~shall~~ be required to readvertise and rehold hearing(s).

3. Less Than 95 Percent of Ad Valorem Proceeds Shown in Budget Summary Advertisement – Sections 200.065(2)(a)1., (3)(l), F.S.

Major. The proceeds are understated. The taxing authority ~~is shall be~~ required to readvertise and rehold hearing(s).

4. No change.

5. Late Certification of Compliance Package – Section 200.068, F.S.

Minor, if all required documents are filed within 30 days of date due. Taxing authority ~~will shall be~~ advised of the violation. Major, if filed beyond 30 days. No revenue sharing funds ~~will shall be~~ disbursed, and all local millage in excess of the rolled-back rate ~~will shall be~~ directed to be placed in escrow, until the certification is filed.

6. Property Tax Levy – Notice of Proposed Tax Increase – Section 200.065(3)(a), F.S.

Major. If initially proposed tax levy, reductions due to the value adjustment board, actual tax levy for last year, or this year's proposed tax levy is misstated. The taxing authority ~~is shall be~~ required to readvertise and rehold hearings.

7. Advertisements Not Adjacent – Section 200.065(3)(l), F.S.

Major, unless taxing authority made an attempt to comply by instructing the newspaper in writing to place the advertisements in compliance with this rule. Severity of this violation depends on whether or not the violation is the fault of the taxing authority or the newspaper that printed the ad. If major, the taxing authority ~~is shall be~~ required to readvertise and rehold hearing(s). Those taxing authorities who were notified of this same violation within the past two years ~~are shall be~~ required to readvertise and rehold hearing(s). If minor, the taxing authority ~~will shall be~~ made aware of the violation.

8. Percent Increase Over the Rolled-Back Rate Incorrect in Notice of Tax Increase Advertisement (for multicounty taxing authorities) or Incorrect Difference Between Taxes Levied Last Year and Proposed Taxes This Year in Notice of Proposed Tax Increase (for all other taxing authorities and schools and first year levies) – Sections 200.065(3)(a), (c), (g) and (j), F.S.

Major. If understated, the taxing authority ~~is shall be~~ required to readvertise and rehold hearing(s).

9. through 10. No change.

11. Hearing Recessed or Continued Without Proper Readvertisement – Sections 200.065(2)(e)2. and (3), F.S.

Major. Taxing authority ~~is shall be~~ required to readvertise and rehold hearing(s) if taxpayers have not been given proper notification of the final adoption of the millage and budget.

12. Failure to State Percent Increase Over Rolled-Back Rate in Resolution or Ordinance – Sections 200.065(2)(d), (3)(j), F.S.

Minor. The taxing authority ~~will~~ ~~shall~~ be notified of the violation. However, if both the percentage increase over the rolled-back rate is understated in the notice of tax increase advertisement (violation #8), or the amounts required in the notice of proposed tax increase are misstated, or if the advertisements are otherwise misleading, and the same factors in the ordinance or resolution are understated or missing, the taxing authority ~~must~~ ~~shall~~ readvertise and rehold hearing(s).

13. Failure to Adopt Millage and Budget Separately – Sections 200.065(2)(d) and (2)(e)2., F.S.

Minor. The taxing authority ~~will~~ ~~shall~~ be notified of the violation and ~~must~~ ~~shall~~ furnish documentation that millage and budget were adopted by separate vote. If no such documentation is furnished, those taxing authorities who have been notified of this violation within the past two years ~~are~~ ~~shall~~ be required to readvertise and rehold hearing(s).

14. Failure to Show Categories in Notice of Tax for School Capital Outlay – Section 200.065(10)(a), F.S.

Minor. Those taxing authorities who have been notified of this violation within the past two years ~~are~~ ~~shall~~ be required to readvertise and rehold hearing(s).

15. No change.

16. Failure to Follow Statutory Verbiage – Section 200.065(3)(h), F.S.

Major, if deviation tends to misinform the taxpayers. Taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s). Minor, if deviation did not modify the substantive content or misinform taxpayers. Taxing authority ~~will~~ ~~shall~~ be notified of the violation. If the violation occurs for two consecutive years the taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s).

17. Budget Summary Advertisement Selection or Additional Verbiage – Section 200.065(3)(h), F.S.

Major, if deviation tends to misinform the taxpayers. Taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s). Minor, if the violation does not misinform the taxpayers.

18. Too Much Time Between Tentative Millage and Budget Hearing and Final Millage and Budget Hearing – Section 200.065(2)(d), F.S.

Minor. Taxing authority ~~will~~ ~~shall~~ be advised of the violation. If the taxing authority is notified of the same violation for two consecutive years, then it ~~must~~ ~~shall~~ readvertise and rehold hearing(s).

19. Hearing Held Less Than 2 or More Than 5 Days Following Advertisement – Section 200.065(2)(d), F.S.

Minor. Taxing authority ~~will~~ ~~shall~~ be advised of the violation. If the taxing authority is notified of the same violation for two consecutive years, then it ~~must~~ ~~shall~~ readvertise and rehold hearing(s).

20. Publication of Both Notice of Tax Increase Advertisement or Notice of Proposed Tax Increase and Notice of Budget Hearing – Section 200.065(3), F.S.

Minor, if deviation does not tend to misinform the taxpayers. Taxing authority ~~will~~ ~~shall~~ be notified as to the correct selection of the advertisements.

21. Publication of Advertisements Combined – Section 200.065(3)(l), F.S.

Minor, unless the violation is the fault of the taxing authority. This is not a severe violation as long as all the information necessary is contained in the advertisement(s). However, the taxing authority ~~will~~ ~~shall~~ be made aware of the violation.

22. Improper Inclusion of Reference to “Verbatim Record of Proceedings” – Sections 286.0105, 200.065(3)(h), F.S.

Minor. Taxing authority ~~will~~ ~~shall~~ be notified of the violation.

23. Publication of Different Percent Millage Increase in Budget Summary Advertisement from That Based on Tentative Millage Adopted at First Budget Hearing – Sections 200.065(3)(1), (3)(j), F.S.

Major, if percentage is understated. If so, the taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s). Taxing authority ~~will~~ ~~shall~~ be notified as to the correct method of calculating the percent of increase.

24. Publishing a Notice of Tax Increase Advertisement or a Notice of Proposed Tax Increase, Rather Than Notice of Budget Hearing Advertisement – Section 200.065(3), F.S.

Minor. This is not a severe violation since it provides more information than is needed. However, the taxing authority ~~will~~ ~~shall~~ be notified of the violation.

25. Adoption of Budget Before Millage – Section 200.065(2)(e)1., F.S.

Minor, provided there is no apparent prejudice to the taxpayers and the violation appears unintentional. The taxing authority ~~will~~ ~~shall~~ be notified of the violation.

26. Any Other Violation Which Tends to Misinform the Taxpayers Concerning Millage or Ad Valorem Proceeds – Sections 200.065(1)-(12), F.S.

Major. Taxing authority ~~is~~ ~~shall~~ be required to readvertise and rehold hearing(s).

(3) No change.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 4-18-94, 12-25-96, 12-31-98, 11-1-12, _____.

12D-17.006 Notification of Noncompliance; Withholding and Escrow of State Revenue Sharing Funds.

(1) If a taxing authority files a certification of compliance which violates Section 200.065, F.S., but which is permitted to be cured by the process specified in Section 200.065(13)(c), F.S., then the Department ~~will~~ shall notify the taxing authority, as provided in subsection (2) of this rule section, using its last known address, that it is in violation of Section 200.065, F.S., and is subject to Section 200.065(13)(c), F.S.

(2)(a) The Department's notice ~~will~~ shall specify the steps necessary to bring the taxing authority into compliance. These steps may include, but not be limited to, readvertisement, reholding hearing(s), a doption of new millage and adoption of new budget.

(b) The Department ~~will~~ shall notify the taxing authority to repeat the hearing and notice process required by Section 200.065(2)(d), F.S., and that the advertisement must appear within 15 days of the date the notice was issued from the Department, and shall contain the statement in boldface required by Section 200.065(13)(c)2., F.S.

(c) The Department must notify the taxing authority that it must be required to file a new certification a after completion of the readvertisement and the reholding of the hearing(s), containing the following items:

1. through 5. No change.

6. Certification of Compliance, (~~form Form~~ DR-487, incorporated by reference in 12D-16.002, F.A.C.)

(d) The Department ~~will~~ shall direct the tax collector to hold in escrow all ad valorem revenues for the taxing authority collected in violation of Section 200.065, F.S., which ~~shall~~ normally will be those revenues in excess of the rolled-back rate, except those revenues from voted levies or levies imposed pursuant to Section 1011.60(6), F.S. The funds ~~will~~ shall be held in escrow until the completion, and approval by the Department, of the process required by Section 200.065(13)(c), F.S., and this rule section.

(e) The Department of Revenue, Property Tax Oversight Program ~~will~~ shall immediately notify in writing the Department of Revenue, General Tax Administration, Refunds and Revenue Accounting Distribution ~~Distribution~~ Process, of the noncompliance. That program ~~will~~ shall proceed consistently with Sections 218.23(1) and 218.63(2), F.S., ~~and Chapter 12-10, F.A.C.,~~ to withhold revenue sharing funds, and to hold the funds in escrow until the noncompliance is cured, or if not cured, to transfer the funds to the General Revenue Fund for the 12 months following the

determination of noncompliance by the Department.

(f) The Department's notification ~~to the taxing authority will shall~~ be issued within 30 days of the taxing authority's deadline for filing the ~~Certification of Compliance, form certification of compliance, Form DR-487, or~~ within 60 days of the taxing authority's resolution or ordinance adopting the levy. The Department's notice ~~will shall~~ be sent ~~electronically, by overnight delivery, facsimile transmission (FAX), regular or certified mail, or hand delivery~~ to the last known address and person identified by the taxing authority as provided in this rule chapter.

(g) The Department's determination of non-compliance ~~will shall~~ be deemed made on the date of the initial notification of the violation(s) to the taxing authority.

(3) The taxing authority ~~must shall~~ hold a new hearing and adopt a new millage and a new budget. If the newly approved millage is less than the amount previously forwarded by the taxing authority to the property appraiser pursuant to Section 200.065(4), F.S., then the taxing authority ~~must shall~~ hold any excess moneys collected in reserve until the subsequent fiscal year, and ~~must shall~~ enact a resolution or ordinance to do so. Any millage newly adopted at a hearing required under this rule section ~~will shall~~ not be forwarded to the property appraiser or tax collector and ~~must shall~~ not exceed the rate previously adopted.

(4) If the taxing authority cures the violation under Section 200.065(13)(c), F.S., and this rule section, then the Department of Revenue ~~will shall~~:

(a) No change.

(b) Notify the tax collector, who ~~will shall~~ disburse to the taxing authority, as provided by law, any funds held in escrow pursuant to this rule section; and,

(c) ~~Disburse~~ ~~Notify the Department of Revenue, General Tax Administration, Refunds and Distribution Process, which shall disburse~~ all funds held in escrow beginning with the next scheduled disbursement.

(5) If any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county is in violation of Section 200.065(5), F.S., because total county or municipal ad valorem taxes exceeded the maximum total county or municipal ad valorem taxes, respectively, that county or municipality, and any municipal service taxing unit and/or dependent district, ~~is shall be~~ subject to notification.

(6)(a) One or more taxing authorities whose taxes are included in the maximum total taxes levied must reduce their millage sufficiently so that the maximum total taxes levied is not exceeded if any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county is in violation

of Section 200.065(5), F.S., because total county or municipal ad valorem taxes exceeded the maximum total county or municipal ad valorem taxes. This is an alternative to the county or municipality forfeiting the half-cent sales tax revenues, as provided in Section 200.065(5), F.S.

(b) The county or municipality ~~will~~ ~~shall~~ forfeit the distribution of local government half-cent sales tax revenues during the 12 months following a determination of noncompliance, as described in Sections 218.63(2) and (3), 200.065(13), F.S., if a taxing authority does not reduce its millage so that the maximum total taxes levied is not exceeded, or if any county or municipality, dependent special district of the county or municipality, or municipal service taxing unit of the county has not remedied the noncompliance or recertified compliance with Chapter 200, F.S., as provided in Section 200.065(13)(e), F.S.

Rulemaking Authority 195.027(1), 218.26(1) FS. Law Implemented 195.002, 200.001, 200.065, 200.068, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 12-25-96, 11-1-12, 6-13-22, _____.

12D-17.007 Taxing Authorities Failing to Timely File Certification; Forfeiture of State Revenue Sharing Funds.

(1) Any taxing authority which has not certified compliance on a Certification of Compliance, (~~form Form~~ DR-487, incorporated by reference in Rule 12D-16.002, F.A.C.), and provided all documentation as required in Section 200.065, F.S., or this rule chapter, ~~will~~ ~~shall~~ be subject to forfeiture of state funds otherwise available to it for the 12 months following a determination of noncompliance by the Department.

(2) The Department ~~will~~ ~~shall~~ notify the taxing authority, using its last known address, that it is in violation of Section 200.065, F.S., and is subject to forfeiture of state revenue sharing funds otherwise available to it. The Department's determination of non-compliance ~~will~~ ~~shall~~ be deemed made on the date of the initial notification of the violation(s) to the taxing authority.

(a) The Department ~~will~~ ~~shall~~ direct the tax collector to hold all ad valorem revenues for the taxing authority collected in violation of Section 200.065, F.S., which ~~will~~ ~~shall~~ normally be those revenues in excess of the rolled-back rate, in escrow, except those revenues from voted levies or levies imposed pursuant to Section 1011.60(6), F.S. The funds ~~will~~ ~~shall~~ be held in escrow until the completion and approval by the Department of the process required by Section 200.065(13)(c), F.S., ~~and this rule section.~~

(b) The Department of Revenue, Property Tax Oversight Program ~~will~~ ~~shall~~ immediately notify in writing the

General Tax Administration of the noncompliance. That program ~~will shall~~ proceed consistently with Sections 218.23(1) and 218.63(2), F.S., and Chapter 12-10, F.A.C., to withhold revenue sharing funds, and to hold such funds in escrow until the noncompliance is cured, or if not cured, to transfer such funds to the General Revenue Fund for the 12 months following the determination of noncompliance by the Department.

(3) In the event the taxing authority files a Certification of Compliance (form certification of compliance on Form DR-487) after the deadline for filing, ~~then~~ the taxing authority ~~will shall~~ be subject to withholding of state funds and funds levied in violation of Section 200.065, F.S., until such certification is properly filed and approved in accordance with this rule chapter.

(4) The portion of revenue sharing funds which would otherwise be distributed to a taxing authority which has not certified compliance on a Certification of Compliance (form Form DR-487) as required in this rule chapter ~~or subsection 12-10.006(4), F.A.C.~~, or has otherwise failed to meet the requirements of Section 200.065, F.S., ~~will shall~~ be deposited in the General Revenue Fund for the 12 months following a determination of noncompliance by the Department.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 200.065 FS. History—New 6-20-91, Amended _____.

12D-17.008 Computation of Time.

(1) The time periods specified in this rule chapter ~~must shall~~ be determined by using the date of certification of value by the property appraiser pursuant to Section 200.065(1), F.S., or July 1, whichever is later. This date ~~must shall~~ be the certification date, and it ~~is shall be~~ immaterial whether it falls on a Saturday, Sunday, or legal holiday.

(2) In computing any period of time prescribed or allowed by this rule chapter or by Section 200.065, F.S., the day of the act from which the designated period of time begins ~~must shall~~ not be included, except for the certification date, which ~~will shall~~ always be day 1 and ~~must shall~~ be included. Where the term “within” is used in this rule chapter, and in Section 200.065, F.S., in reference to a period of days, it ~~must shall~~ be construed to mean “not later than” that number of days, and vice versa. The last day of the period ~~must shall~~ be included even if it is a Saturday, Sunday, or legal holiday. That event ~~will shall~~ not operate to extend or to change the day of the act from which any other periods begin to run.

(3) through (4) No change.

12D-17.009 Tax Roll Approval; Extended Time Frames; Method of Adjustment of Millage.

(1) In the event that a review notice is issued by the Department in reviewing a tax roll pursuant to Section 193.1142(4) or (5), F.S., and Rule 12D-8.020, F.A.C., the following provisions ~~will~~ shall apply:

(a) The property appraiser ~~must~~ shall make any necessary adjustment required by Section 200.065(11), F.S., to the proposed millage rates provided by the taxing authority prior to issuing the notice of proposed property taxes, the TRIM notice, required by Section 200.065(2)(b), F.S. These adjustments ~~must~~ shall include all millages which are applicable to the taxable value on the approved tax roll at variance with the value certified by the property appraiser pursuant to Section 200.065(1), F.S, on the certification date. The property appraiser ~~must~~ shall provide written notice of the amount of the millage adjustment to all taxing authorities affected by the adjustment within 5 days of the date the tax roll is approved.

(b) If, as a result of the review notice and the remedial steps by the property appraiser, the TRIM notice, as required by Section 200.065(2)(b), F.S., is issued after the deadline (55 days after the certification date), all subsequent deadlines provided in this rule chapter ~~must~~ shall be extended a like number of days. In this event, the deadline date for the TRIM notice (the 55th day after the certification date) ~~must~~ shall not be included in calculating the number of extended days. Beginning with the day after the deadline date for the TRIM notice, the number of extended days ~~must~~ shall be counted until the day the tax roll was approved by the Department. That latter day ~~must~~ shall be included.

(2) If, as a result of the tax roll approval process provided in Section 193.1142, F.S., the roll is not approved and interim roll procedures have not commenced within 45 days of the certification date, then the deadline for sending mailing the notice of proposed property taxes, the TRIM notice, ~~is~~ shall be 10 days beyond the date the tax roll is approved or interim roll procedures have begun. In such event, all other deadlines in this rule chapter or under Section 200.065, F.S., ~~must~~ shall be extended by the same number of days by which the deadline for sending mailing the notice is extended beyond 55 days from the certification date. The deadline for sending mailing the notice is therefore the later of 55 days after the certification date, or 10 days after either the tax roll is approved or interim roll procedures have begun.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 192.048, 193.1142, 195.002, 200.065, 200.068, 218.21, 218.23, 218.63 FS. History—New 6-20-91, Amended 10-30-91, _____.

12D-17.010 Certification of Compliance and Application.

Each year prior to November 1, or within 30 days of an ordinance or resolution adopting a millage levy, the taxing authority ~~must shall~~ file a Certification of Compliance, (~~form Form~~ DR-487, incorporated by reference in Rule 12D-16.002, F.A.C.), with the Department. It ~~is shall be~~ the duty of each taxing authority required to submit certified information to the Department, pursuant to this rule chapter, to file timely information. Any taxing authority failing to provide timely information required by this rule chapter ~~must shall~~, by such action or noncompliance, authorize the Department to use the best information available. If no such information is available, the Department may take any necessary action, including disqualification from revenue sharing, either partial or entire. Further, by such action or noncompliance the taxing authority ~~will shall~~ waive any right to challenge the determination of the Department as to its portion, if any, pursuant to the privilege of receiving shared revenues under this rule chapter.

Rulemaking Authority 195.027(1), ~~213.06(1)~~, 218.26(1) FS. Law Implemented 195.002, 200.065, 200.068, 218.21, 218.23, 218.26(4), 218.63 FS. History—New 6-20-91, Amended _____.