

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners  
**From:** Brenda Brand, Director, Licensing and Permitting  
**Date:** December 11, 2019  
**Subject:** Draft Rule Amendment - Verification of Residency for the Purpose of Recreational Licenses and Permits

---

**Purpose:**

Obtain approval for amending Rule 68-1-012, Florida Administrative Code (FAC), and approval to publish a Notice of Change.

**Why:**

Following approval by the Commission of a draft Rule in October 2019, the Joint Administrative Procedures Committee (JAPC) provided comments that the Rule should include how military members stationed in Florida and the family members who reside with them can provide proof of residency necessary to acquire resident recreational licenses, permits, or authorizations, in accordance with subsection 379.101(30), F.S. Staff further determined that in accordance with subsection 379.101(31), F.S., the Rule should include language for how resident aliens can provide proof of residency necessary to acquire resident recreational licenses, permits, or authorizations.

**Top Points:**

- 1) The proposed amendment would provide that members of the Armed Forces stationed in Florida, as well as their family members who reside with them, would be able to acquire resident recreational licenses, permits, or authorizations by presenting Armed Forces orders, stationing the member in Florida, at any Commission licensing subagent location or at a Tax Collector's office.
- 2) The proposed amendment would provide that resident aliens would be able to acquire resident recreational licenses, permits, or authorizations by presenting both (1) documentation from the Bureau of Citizenship and Immigration Services evidencing permanent residency status in the United States; and (2) one valid form of documentation provided in the Rule, issued at least one year prior to application, to any Commission licensing subagent location or at a Tax Collector's office.

**Affected Parties:**

Persons applying for resident recreational licenses, permits, or authorizations as described.

**Summary:**

Applicants must verify Florida residency to obtain a resident recreational license, permit, or authorization.

The Florida Legislature, in section 379.101, F.S., identified the individuals that would qualify for resident recreational licenses, permits, or authorizations, and the Commission has adopted this list of individuals in practice.

The Rule amendment would not change current Commission practice. The individuals identified in the proposed Rule amendment have historically been able to acquire resident recreational licenses, permits, or authorizations. This amendment merely provides clarification that absent a driver license or identification card with residency verified by the Department of Highway Safety and Motor Vehicles (DHSMV), an individual must prove residency with the identified documents in person at a licensing subagent location or a Tax Collector's office, which is what the Commission already requires. If the draft Rule amendment is

approved for both advertisement and final adoption, Commission staff will file the Rule with these changes for adoption as allowed by Chapter 120, Florida Statutes, without further public hearing.

**Staff Recommendation:**

Approve the proposed draft Rule amendment and authorize staff to publish a Notice of Change and to file for adoption as soon as possible.

**Staff Contact and/or Presenter:**

Brenda Brand, Director, Licensing and Permitting