

**STATE BOARD OF EDUCATION**  
**Consent Item**  
March 22, 2017

**SUBJECT:** Approval of Repeal of Rule 6A-18.048, Solicitation of Funds for Blind Persons

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**PROPOSED BOARD ACTION**

For Approval

**AUTHORITY FOR STATE BOARD ACTION**

Section 1001.02, Florida statutes

**EXECUTIVE SUMMARY**

The proposed rulemaking repeals the Division of Blind Services Rule 6A-18.048, Solicitation of Funds for Blind Persons. This rule was required under section 413.066, Florida Statutes. The statutory framework for the solicitation of funds to support blind individuals, sections 413.061-413.069, Florida Statutes, was repealed by the Legislature. This rule is to be repealed as it is no longer necessary.

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**Supporting Documentation Included:** Proposed Rule 6A-18.048, F.A.C.

**Facilitator:** Robert L. Doyle, Director, Division of Blind Services

**6A-18.048 Solicitation of Funds for Blind Persons.**

*Rulemaking Authority 20.05(1), 20.15(7), 120.53(1)(a), 229.053(1), 413.066 FS. Law Implemented 20.05(1), 413.066 FS.*

*History—New 6-2-85, Formerly 6A-18.23, 6A-18.023, 38K-1.023, Repealed*

*Cf. DBS-031, Application for Permit to Solicit for the Benefit of Blind Persons.*

**6A-18.048 Solicitation of Funds for Blind Persons.**

Any solicitation of funds or anything of value for the benefit of blind persons requires prior approval by the Division of Blind Services, in accordance with Section 413.061, F.S..

(1) The purpose of approval is to protect the general public against improper and misleading solicitation, to protect blind people against exploitation and misidentification as mendicants, and to assist permitted agencies and organizations to establish their standing with the public as legitimate solicitors.

(2) Any person, organization, or agency desiring to solicit funds or anything of value for the benefit of blind persons shall complete Form DBS-031, Application for Permit to Solicit for the Benefit of Blind Persons, effective May, 1985, hereby incorporated in this rule by reference, and file that application with the state office of the Division of Blind Services. The application form may be obtained from the Division of Blind Services, 203 Douglas Building, 2540 Executive Center Circle, West, Tallahassee, Florida 32399. The National Federation of the Blind of Florida, the Florida Council of the Blind, the Blinded Veterans Association of Florida, and the Lions Clubs of Florida are exempt from compliance with this rule provided that they file an annual report with the Department of State showing total receipts and disbursements by subject.

(3) Each application shall be reviewed by the designated Division staff member in the Division's state office. The application shall be checked for completeness. If the reported information is not readily verifiable, the application shall be sent to the appropriate Division regional manager who shall verify the information locally. If the required information is not included with the application, the applicant shall be contacted to provide any required information.

(4) The basis for approval shall be:

(a) The extent to which blind persons benefit from the proposed solicitation;

(b) The proposed solicitation shall not depict blind people as helpless or as mendicants appealing to the sympathy of the public;

~~(c) The majority of the funds collected shall directly benefit blind persons.~~

~~(5) Upon approval of the application, the Division of Blind Services shall issue a permit to the applicant, valid for the solicitation activity described, for a period of up to one (1) year. A copy of Sections 413.061 through 413.069, F.S., shall be sent to the applicant with the permit.~~

~~(6) If it is determined that the applicant has not complied with Sections 413.061 through 413.069, F.S., or with these rules, the permit shall be revoked and the persons, agency, or organization shall be notified that they are no longer approved for soliciting for the benefit of blind persons.~~

*Rulemaking Authority 20.05(1), 20.15(7), 120.53(1)(a), 229.053(1), 413.066 FS. Law Implemented 20.05(1), 413.066 FS.*

*History—New 6-2-85, Formerly 6A-18.23, 6A-18.023, 38K-1.023.*

*Cf. DBS-031, Application for Permit to Solicit for the Benefit of Blind Persons.*