

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT**

DATE: April 7, 2009

REGULATION NUMBER AND TITLE: 6C-17.003 Approval

SUMMARY: Chapter 17, Administration of Leasing Program, contains numerous out-of-date references, and refers to administrative practices discontinued for over twenty (20) years, when leases were centrally administered by the former Board of Regents. The State University System central office has no involvement in university leasing of space, contrary to the current regulation, which requires the Chancellor to approve all leases. Additionally several sections were previously repealed, but the remaining sections were not renumbered.

The proposed revision 17.003 as 17.001 and renames the section "Lease Authority".

The proposed language was developed in conjunction with university staff, including most institutions general counsel's office. No adverse impact has been identified by adoption of these regulations.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO AMEND REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED AMENDMENT TO THE REGULATION: Chris Kinsley, Director, Finance & Facilities

COMMENTS REGARDING THE PROPOSED AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

Chris Kinsley, Director, Finance & Facilities, Board of Governors, State University System, 325 W. Gaines Street, Suite 1652, Tallahassee, Florida 32399, (850) 245-9677 (phone), (850) 245-9685 (fax), or Chris.Kinsley@flbog.edu

~~6C-17.003 Approval.~~ 17.001 Lease Authority

~~(1) The Chancellor or Chancellor's designee shall approve~~ The Board of Trustees or designee may enter into the need to leases for space before a in a building or any part of a building is leased for use by a university or university direct-support organization, including those leases in a research and development park with which the university is affiliated. Leases subject to s. 1010.62 F.S. must be approved by the Board of Governors, in accordance with the Board of Governors Debt Management Guidelines. Prior approval is not required for leases of less than 120 consecutive days and those for nominal or no consideration.

Specific Authority ~~240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.25 FS. History New 12-30-79, Amended 8-11-85, Formerly 6C-17.03, Amended 6-5-96.~~