



Annual Regulatory Plan

2017-2018

This Plan has been prepared in accordance with Section 120.74(1), Florida Statutes.

Laws enacted or amended during the previous 12 months which create or modify the duties or authority of the Department:

Law	Mandatory Rulemaking?	Is Rulemaking Necessary?	Notice of Proposed Rule Development Published?	Expected Publication Date for Proposed Rule?	Why is Rulemaking Unnecessary?
984.071(2)	No	No	No	N/A	Materials describing the resources and services available to address domestic violence are being developed. These will be posted on the department's website and distributed as required by the new subsection, without the need for rulemaking.
985.25, .255, .26, .27 and .35*	No	No	No	N/A	A relatively small percentage of youths will qualify as prolific juvenile offenders. Those who do are adequately addressed through existing rules.
943.0435**	No	No	No	N/A	Very few juveniles are subject to the registration requirements. This, and the relative simplicity of the requirements, makes existing processes sufficient to ensure the proper receipt of registrants' information, and the required

					notifications under the statute.
--	--	--	--	--	----------------------------------

* The 2017 Legislature created a “prolific juvenile offender” designation for youths who are charged with a felony, have a prior felony, and have five or more arrest events, adjudications or withholds, at least 3 of which must involve felonies. These youths must be held in secure detention or nonsecure detention with electronic monitoring until disposition.

** Section 943.0435, F.S., sets out the registration requirements that apply to designated adult and juvenile sexual offenders. Portions of the statute, along with the definition of “internet identifier” in section 775.21, were amended in 2017 to require juvenile registrants to provide additional information to the Department, including electronic mail addresses and usernames associated with social internet communications and applications.

Laws not listed above that the agency expects to implement by rulemaking before July 2018:

Law	Rulemaking Intended to:	Simplify	Clarify	Increase Efficiency	Coordinate with other agencies	Reduce regulatory costs	Delete obsolete, un-necessary, redundant rules

Update to 2016-2017 Regulatory Plan:

Law	Mandatory Rule-making?	Rulemaking Necessary?	Notice of Proposed Rule Development Published?	Expected Publication Date for Proposed Rule?	Why is Rule-making Un-necessary?
985.601(3): DJJ rule ch. 63E-7 governing residential delinquency programs required some relatively minor, technical amendments, which the Department intended to promulgate in 2016. It became apparent that more extensive amendments were	No	Yes	No	December 2017	N/A

<p>necessary to bring the rule into conformity with new, federal requirements, and with existing rules. A re-drafting of the entire chapter is underway. Workshops have been held, and promulgation will take place in late 2017.</p>					
<p>985.644(5): A new rule chapter governing employment screening was listed in the 2015-16 Plan, but was not promulgated. It was re-listed in 2016-17, when it appeared that additional significant changes to processes and forms would be necessary. All changes have now been implemented without a rule, and it appears that formal rulemaking on the topic is not necessary.</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>N/A</p>	<p>Together with the statutory process outlined in chapter 435, the statute is sufficiently detailed so that it can be implemented without formal rulemaking.</p>


Certification

In accordance with section 120.74(1)(d), Florida Statutes, I, Christina K. Daly, Secretary of the Florida Department of Juvenile Justice, and I, Brian D. Berkowitz, General Counsel for the Florida Department of Juvenile Justice, hereby certify as follows:

- 1) We have reviewed the Florida Department of Juvenile Justice's 2017-2018 Annual Regulatory Plan;
- 2) We have verified that the Florida Department of Juvenile Justice regularly reviews all of its rules to determine if the rules remain consistent with the Florida Department of Juvenile Justice's rulemaking authority and laws implemented; and
- 3) The Florida Department of Juvenile Justice completed its Annual Rule Review in June 2017.

Dated this 27th day of September 2017.

By: 
Christina K. Daly, Secretary

By: 
Brian D. Berkowitz, General Counsel