

Commission on Ethics Regulatory Plan for July 1, 2018-June 30, 2019

Section 120.74, Florida Statutes, requires:

(1) REGULATORY PLAN.—By October 1 of each year, each agency shall prepare a regulatory plan.

(a) The plan must include a listing of each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency. If the Governor or the Attorney General provides a letter to the committee stating that a law affects all or most agencies, the agency may exclude the law from its plan. For each law listed by an agency under this paragraph, the plan must state:

1. Whether the agency must adopt rules to implement the law.
2. If rulemaking is necessary to implement the law:
 - a. Whether a notice of rule development has been published and, if so, the citation to such notice in the Florida Administrative Register.
 - b. The date by which the agency expects to publish the notice of proposed rule under s. 120.54(3)(a).

3. If rulemaking is not necessary to implement the law, a concise written explanation of the reasons why the law may be implemented without rulemaking.

(b) The plan must also include a listing of each law not otherwise listed pursuant to paragraph (a) which the agency expects to implement by rulemaking before the following July 1, except emergency rulemaking. For each law listed under this paragraph, the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules.

(c) The plan must include any desired update to the prior year's regulatory plan or supplement published pursuant to subsection (7). If, in a prior year, a law was identified under this paragraph or under subparagraph (a)1. as a law requiring rulemaking to implement but a notice of proposed rule has not been published:

1. The agency shall identify and again list such law, noting the applicable notice of rule development by citation to the Florida Administrative Register; or
2. If the agency has subsequently determined that rulemaking is not necessary to implement the law, the agency shall identify such law, reference the citation to the applicable notice of rule development in the Florida Administrative Register, and provide a concise written explanation of the reason why the law may be implemented without rulemaking.

Subsection (1)(a): New laws

Section 19, ch. 2018-5, amended Section 1012.23(2), F.S. to read:

(2) Neither the district school superintendent nor a district school board member may appoint or employ a relative, as defined in s. 112.3135, to work under the

direct supervision of that district school board member or district school superintendent. The limitations of this subsection do not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent. The Commission on Ethics shall accept and investigate any alleged. violations of this section pursuant to the procedures contained in ss. 112.322-112.3241

As the change is not effective until July 1, 2019, no rulemaking is necessary to implement the law at this time.

Subsection (1)(b): Laws not listed pursuant to paragraph (a) which the Commission expects to implement by rulemaking before July 1, 2019

It is not clear whether the statute requires the listing of all laws for which we intend to draft new rules (there are none) or requires a list of all laws for which we may seek to amend or delete rules. In an abundance of caution, we have used the latter.

Section 112.3144, F.S.

Rulemaking is intended to clarify language and change dates on forms.

Section 112.3145, F.S.

Rulemaking is intended to clarify language and change dates on forms.

Section 112.3147, F.S.

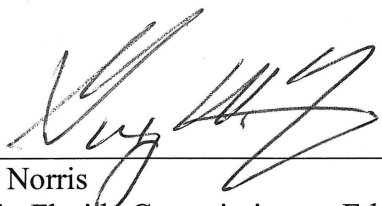
Rulemaking is intended to simplify, clarify, and update forms.

Subsection (1)(c): Updates to prior year's plan

None.

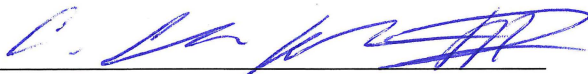
CERTIFICATION

I verify that I have reviewed the Commission on Ethics Regulatory Plan for July 1, 2018-June 30, 2019, and that the Commission regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and the laws implemented. The period during which all rules have most recently been reviewed is July 31, 2017 through July 31, 2018.



Guy Norris
Chair, Florida Commission on Ethics

Date August 31, 2018



C. Christopher Anderson, III
General Counsel, Florida Commission on Ethics

Date AUGUST 31, 2018