



Florida Department of
JUVENILE JUSTICE
Our Children, Our Future

Annual Regulatory Plan

2020-2021

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?
944.241*	Yes	Yes	Yes 63G-2: 6-26-20 63E-7: 9-8-20	63G-2: 9-14-20 63E-7: 12-1-20	N/A
985.711**	No	Yes	No	63E-7: 1-14-21	N/A

* Ch. 2020-89, amended the protections for incarcerated pregnant women, which now extend to the use of “restrictive housing” for delinquent girls during their known or confirmed pregnancies. The Departments of Corrections and Juvenile Justice are required to adopt implementing rules. For DJJ, this will require minor amendments to rule chapter 63G-2.022 governing secure detention and 63E-7.107 governing residential facilities.

**Ch. 2020-59, amended the provisions defining illegal contraband, adding hemp, cellular telephones and vaping devices to the current list of items prohibited in juvenile facilities. Rule 63E-7.107(9) will require amendment to include these new items to the list of illegal contraband, some of which are merely designated as “prohibited contraband” in the current rule.

Laws not listed above that the agency expects to implement by rulemaking before July 2020:

Law	Rule	Simplify	Clarify	Increase efficiency	Coordinate with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary, redundant rules
985.601	63F-11	X	X	X			X
985.601	63G-2	X	X	X			X
985.645	63H-1			X			
985.601	63H-2			X			
985.64	63M-2	X	X	X		X	
985.64	63N-1	X	X	X			X
985.441	63T-1		X	X	X		

Update to 2019-2020 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?

Certification

In accordance with section 120.74(1)(d), Florida Statutes, I, Simone Marsteller, 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 2020-2021 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 2020.

Dated this 21st day of September 2020.

By: Simone Marsteller

Simone Marsteller, Secretary

By: Brian D. Berkowitz

Brian D. Berkowitz, General Counsel