



FLORIDA DEPARTMENT OF CORRECTIONS

2023-2024 REGULATORY PLAN

Contents

Part 1 – Laws Creating or Modifying the Duties or Authority of the Agency

Part 2 – Expected Implementation of Other Laws During Fiscal Year 2023-2024

Part 3 – Updates to the Agency’s 2022-2023 Regulatory Plan

 Updates to Part 1 of the 2022-2023 Plan

 Updates to Part 2 of the 2022-2023 Plan

 Updates to Part 3 of the 2022-2023 Plan

Part 4 – Certification

PART 1 – Laws Creating or Modifying the Duties or Authority of the Agency

This part fulfills the requirements of section 120.74(1)(a), Florida Statutes, which requires an agency to provide a listing of each law created or amended during the previous twelve months which “creates or modifies the duties or authority of the agency.” Where two or more such laws were amended or created by a common piece of legislation, those laws are listed together.

- 1. Sections 20.315, 553.865, 944.09, 944.23, Florida Statutes**
Rulemaking does appear necessary to implement these laws by amending Rule 33-601.715 of the Florida Administrative Code. The Department has not published a Notice of Rule Development. The Department expects to publish a Notice of Proposed Rule no later than January 1, 2024.
- 2. Sections 92.55 and 960.001, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 3. Sections 287.042, 394.9151, 943.13, 944.02, 944.115, 944.35, 944.47, 944.72, 944.8041, 945.215, 946.504, 957.04, 957.06, 957.07, 957.08, 957.12, 957.14, 957.15, and 957.16, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 4. Section 397.417, 397.754, 944.09, 944.473, and 944.803, Florida Statutes**
Rulemaking does appear necessary to implement these laws by amending Rule 33-507.002 of the Florida Administrative Code. The Department has not published a Notice of Rule Development. The Department expects to publish a Notice of Proposed Rule no later than April 1, 2024.
- 5. Sections 497.005 and 960.001, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 6. Sections 775.0823, 921.0024, and 947.146, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

7. **Sections 794.011, 944.275, 948.05, and 948.30, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
8. **Section 944.09, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
9. **Sections 944.516, 944.73, 945.215, 945.6037, and 946.002, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
10. **Section 944.7071, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

PART 2 – Expected Implementation of Other Laws During Fiscal Year 2023-2024

This part fulfills the requirements of section 120.74(1)(b), Florida Statutes, which requires an agency to list each law that the agency expects to implement by rulemaking before July 1 of the following year, except in instances requiring emergency rulemaking. The list below includes laws grouped together where those laws would be implemented by a common rulemaking initiative, such as the amendment of a single rule, the amendment of multiple rules within a single chapter of the Florida Administrative Code, or the amendment of rules that appear in different chapters of the Code from one another but are nonetheless related. Also, some laws listed below are listed more than once because they would be implemented by more than one Department of Corrections rule.

1. **Section 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-103.001 of the Florida Administrative Code to clarify the rule.
2. **Section 945.10, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-205.101 of the Florida Administrative Code to clarify the rule and increase efficiency.
3. **Section 944.09, Florida Statutes**

The Department expects to implement these laws by repealing Rule 33-208.101 of the Florida Administrative Code.

- 4. Sections 20.315, 944.09, 944.11, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-210.102 of the Florida Administrative Code to clarify the rule.
- 5. Section 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 210.201 of the Florida Administrative Code to clarify the rule.
- 6. Section 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-302.1031 of the Florida Administrative Code to increase efficiency.
- 7. Sections 20.315, 790.06, and 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-302.104 of the Florida Administrative Code to clarify the rule.
- 8. Sections 20.315, and 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-503.001 of the Florida Administrative Code to clarify the rule.
- 9. Sections 776.07, 943.1717, 944.09, 944.35, 945.025, 945.04, and 945.05, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-601.210 of the Florida Administrative Code to clarify the rule and increase efficiency.
- 10. Section 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-601.302 of the Florida Administrative Code to clarify the rule and increase efficiency.
- 11. Sections 20.315, 944.09, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-601.307 of the Florida Administrative Code to clarify the rule and increase efficiency.
- 12. Sections 20.315, 944.09, 944.275, 944.28, 944.719, 945.04, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-601.309 of the Florida Administrative Code to clarify the rule and increase efficiency.
- 13. Sections 20.315, 944.09, 944.719, 945.04, Florida Statutes**
The Department expects to implement these laws by amending Rule 33-601.311 of the Florida Administrative Code to clarify the rule and increase efficiency.
- 14. Sections 944.115, 944.14, 944.275, 944.279, 944.28, and 944.281, Florida Statutes**

The Department expects to implement these laws by amending Rule 33-601.314 of the Florida Administrative Code to clarify the rule and increase efficiency.

15. Sections 20.315, 944.09, 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.718 of the Florida Administrative Code to clarify the rule and increase efficiency.

16. Sections 944.09, 944.115, 944.23, 944.47, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.731 of the Florida Administrative Code to clarify the rule and increase efficiency.

17. Sections 20.315, 944.09, 944.23, 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.736 of the Florida Administrative Code to clarify the rule and increase efficiency.

18. Section 944.09, Florida Statutes

The Department expects to implement these laws by amending Rule 33-602.232 of the Florida Administrative Code to clarify the rule and increase efficiency.

PART 3 – Updates to the Agency’s 2022-2023 Regulatory Plan

This part fulfills section 120.74 (1)(c), Florida Statutes, which states that an agency’s annual regulatory plan must include any desired update to the prior year’s regulatory plan or supplements to that plan. No supplements to the agency’s 2022-2023 Regulatory Plan were published. Updates to the 2022-2023 Department of Corrections Regulatory Plan are discussed below.

Updates to Part 1 of the 2022-2023 Plan

Paragraphs 1-7, 9 and 11 of Part 1 of the 2022-2023 Plan require no updates

8. Sections 944.31, 948.01, 948.03, 948.05, and 948.15, Florida Statutes

Rule 33-302.110 of the Florida Administrative Code was adopted effective March 31, 2023.

10. Section 945.10, Florida Statutes

Rule 33-601.901 of the Florida Administrative Code was adopted July 2, 2023.

Updates to Part 2 of the 2022-2023 Plan

Paragraphs 1-7, 9, and 12 of Part 2 of the 2022-2023 Plan require no updates

8. Sections 20.315, 944.09, 944.115, 944.14, 944.279, and 944.28, Florida Statutes

Rule 33-601.314 of the Florida Administrative Code was adopted February 14, 2023.

10. **Sections 944.09, and 944.23, Florida Statutes**
Rule 33-601.725 of the Florida Administrative Code was adopted January 26, 2023.
11. **Sections 944.09, and 944.241, Florida Statutes**
Rule 33-601.800 of the Florida Administrative Code was adopted October 6, 2022.
13. **Sections 20.315, 944.09, and 944.241, and 945.04, Florida Statutes**
Rule 33-602.220 of the Florida Administrative Code was adopted October 6, 2022.
14. **Sections 20.315, 944.09, and 944.241, Florida Statutes**
Rule 33-602.222 of the Florida Administrative Code was adopted October 6, 2022.

Updates to Part 3 of the 2022-2023 Plan

**Part 1 and 3 of the 2021-2022 Plan require no update*

Updates to Part 2 of the 2021-2022 Plan

Paragraphs 1-4 and 15-16 of Part 2 of the 2021-2022 Plan require no updates

5. **Sections 20.315, 944.09, and 944.23, Florida Statutes**
Rule 33-601.713 of the Florida Administrative Code was adopted January 26, 2023.
6. **Sections 20.315, 944.09, and 944.23, Florida Statutes**
Rule 33-601.715 of the Florida Administrative Code was adopted March 2, 2023.
7. **Sections 20.315, 944.09, and 944.23, Florida Statutes**
Rule 33-601.716 of the Florida Administrative Code was adopted January 26, 2023.
8. **Sections 20.315, 944.09, and 944.23, Florida Statutes**
Rule 33-601.717 of the Florida Administrative Code was adopted March 2, 2023.
9. **Sections 20.315, 944.09, and 944.23, Florida Statutes**
Rule 33-601.722 of the Florida Administrative Code was adopted January 26, 2023.
10. **Sections 20.315, 944.09, 944.23, and 944.8031, Florida Statutes**
Rule 33-601.723 of the Florida Administrative Code was adopted January 26, 2023.
11. **Sections 20.315, 944.09, 944.23, 944.47, and 944.8031, Florida Statutes**
Rule 33-601.726 of the Florida Administrative Code was adopted January 26, 2023.
12. **Sections 944.09, 944.23, 944.47, and 944.8031, Florida Statutes**
Rule 33-601.727 of the Florida Administrative Code was adopted January 26, 2023.
13. **Sections 944.09, 944.115, 944.23, 944.47, and 944.8031, Florida Statutes**

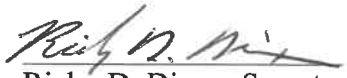
Rule 33-601.731 of the Florida Administrative Code was adopted January 26, 2023.

14. Sections 944.09, 944.23, and 944.8031, Florida Statutes

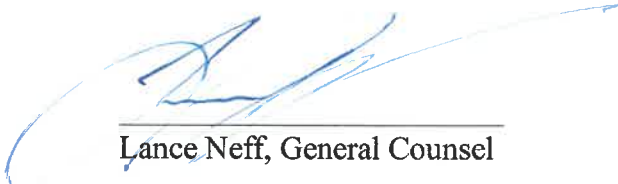
Rule 33-601.732 of the Florida Administrative Code was adopted March 2, 2023.

PART 4- Certification

We, the undersigned persons, hereby certify on behalf of the Department of Corrections (the “agency”) that we have reviewed this Regulatory Plan, that the agency regularly reviews all of its rules, and that all of the agency’s rules were most recently reviewed between June 22 and July 26, 2023, to determine if the rules remain consistent with the agency’s rulemaking authority and the laws implemented.


Ricky D. Dixon, Secretary

9/22/23
Date


Lance Neff, General Counsel

22 Sept 2023
Date