#### 2019-2020 AGENCY ANNUAL REGULATORY PLAN



Office of the General Counsel Ray Treadwell, General Counsel 2601 Blair Stone Road Tallahassee, Florida 32399-2202

Phone: 850.488.0062 • Fax: 850.921.1311

Ron DeSantis, Governor

Halsey Beshears, Secretary

September 24, 2019

Marjorie C. Holladay, Chief Attorney
The Florida Legislature
Joint Administrative Procedures Committee
Room 680, Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

Re: Department of Business and Professional Regulation Annual Regulatory Plan 2019-2020

Dear Ms. Holladay:

Enclosed please find a copy of the Department of Business and Professional Regulation's Certification Statement relating to the above-referenced matter, which has been published on the Department's website in accordance with Section 120.74, Florida Statutes. Specifically, I have enclosed the following:

- DBPR's Certification Statement 2019-20 ARP
- Copy of the Department's 2019-20 ARP Publication Notice

If you have any questions or need me to elaborate further please call me at (850) 717-1222.

Sincerely,

Thomas J. Izzo

Assistant General Counsel

#### NOTICE OF PUBLICATION OF ANNUAL REGULATORY PLAN

Pursuant to 120.74(2), F.S., the Department of Business and Professional Regulation published the Department's 2019-2020 Annual Regulatory Plan on September 23, 2019, at the following web address: http://www.myfloridalicense.com/DBPR/about-us/annual-regulatory-plans/

## Division of Alcoholic Beverages and Tobacco

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Ω	C		
Ch. 2019-173, L.O.F.	Ch. 2019-81, L.O.F.	Ch. 2019-14, L.O.F.	Law
No	N <sub>o</sub>	No	Mandatory rulemaking? Yes/No
N <sub>o</sub>	No	Yes	Is rulemaking necessary? Yes/No
		Yes, 7/9/19 v.45/132	Notice of Development Published? Yes/No   If Yes, Citation
		7/10/2019 v.45/133	Notice of Development Expected Published? publication date (es/No   If Yes, for NPRM Citation
The bill authorizes businesses that are licensed to sell alcoholic beverages to patrons for consumption on the licensed premises to also sell such beverages for consumption off the licensed premises but still within Celebration Pointe. Rulemaking by the Division is not necessary to implement.	The law prohibits the arrest, charging, prosecution, or other penalties, pursuant to s. 562.11, F.S., for a person giving, selling, serving, or permitting a person under the age of 21 to possess or consume alcoholic beverages and who, acting in good faith, seeks medical assistance for the individual experiencing, or who is believed to be experiencing, an alcohol-related overdose. Such person must remain on the scene until medical assistance arrives, and cooperate with authorities.  The law also prohibits the arrest, charging, prosecution, or other penalties, pursuant to s. 562.111, F.S., for a person who experiences, or has a good faith belief that he or she is experiencing, an alcohol-related overdose, if the evidence of the offense was obtained as a result of the person's seeking medical assistance. Rulemaking by the Division is not necessary to implement.		If rulemaking is not necessary? Explain

## Division of Alcoholic Beverages and Tobacco

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law       Is rulemaking intended to:       Simplify       Clarify       Increase efficiency coordination with regulatory other agencies       Improve coordination with regulatory other agencies       Reduce coordination with regulatory other agencies         561.42(14)(a), F.S.       X       X       X         562.03 and 565.03, F.S.       X       X       X         X       X       X       X	_	-	_	_	_	_	-		
Simplify Clarify  X  X	565.045 F.S		562.03 and 565.03, F.S.		561.42(14)(a), F.S.				Law
Clarify X X								intended to:	Is rulemaking
								Sumpuny	Simplify.
Increase efficiency coordination with regulation other agencies costs	4		×		×			Clarity	
Improve Reduce coordination with regulate other agencies costs								Increase efficiency	
Reduce regulate costs							other agencies	coordination with	Improve
ory							costs	regulatory	Reduce
Delete obsolete, unnecessary or redundant rules							redundant rules	unnecessary or	Delete obsolete,
								X Other agencies costs  X	intended to:    Carry   Increase efficiency coordination with regulatory other agencies   costs

## Division of Alcoholic Beverages and Tobacco

Section 3

Updates to 2018-2019 Annual Regulatory Plan
2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary) without rulemaking
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A				Law		
			Yes/No	rulemaking?	Mandatory	
			Yes/No	necessary?	Is rulemaking	
	0.000	Citation	Yes/No If Yes,	Published?	Development	Notice of
			for NPRM	=	Expected	
			, — H	If rulemaking is not necessary? Explain		

### Section 2

Law	Is rulemaking	Simplify	Clarify	Improve Reduce	Improve	Reduce	Delete obsolete,
	interruped to:				other agencies	costs	redundant rules
N/A							

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

### **Athlete Agents Licensing Unit**

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A	Mandatory Law rulemaking? Yes/No
	Is rulemaking necessary? Yes/No
	Notice of Development Published? Yes/No   If Yes, Citation
	Expected publication date for NPRM
	If rulemaking is not neccessary? Explain

#### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

# Division of Condominiums, Timeshares, and Mobile Homes

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

	_	1
718.1085, F.S.	718.112, F.S.	Law
No	No	Mandatory rulemaking?
No	No	Is rulemaking necessary? Yes/No
		Notice of Development Published? Yes/No   If Yes, Citation
		Expected publication date for NPRM
Existing rulemaking language is sufficient to comply with statutory objectives.	Existing rulemaking language is sufficient to comply with statutory objectives.	If rulemaking is not necessary? Explain

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law	
	Development Citation	Notice of Kule
	implemented without rulemaking is unnecessary)   Explanation of reason why the law may be	Transa detaminada de la

Section 1

### 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Program and Rulemaking dependent upon Authorization for Program by United States Department of Health and Human Services.	Awaiting Program and Rulen Authorization by Program by United U.S. HHS Services.	N/A	Yes	Yes	499.01(2)(s), F.S.
Awaiting Program and Rulemaking dependent upon Authorization for Authorization by Program by United States Department of Health and Human U.S. HHS	Awaiting Authorization by U.S. HHS	N/A	Yes	Yes	499.01(2)(c), F.S.
Awaiting Program and Rulemaking dependent upon Authorization for Authorization by Program by United States Department of Health and Human U.S. HHS	Awaiting Authorization by U.S. HHS	N/A	Yes	Yes	499.0285, F.S.
If rulemaking is not necessary? Explain	Expected publication date for NPRM	Notice of Development Published? Yes/No   If Yes, Citation	Is rulemaking necessary? Yes/No	Mandatory rulemaking? Yes/No	Law

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	Notice of Rule Development Citation  (If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be

### **DBPR Departmental Rules**

### Section 1

### 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

	Nov. 2019	Expected Oct. 2019	Yes	Yes	489.514, F.S.
If rulemaking is not necessary? Explain	Expected publication date for NPRM	Development Published? Yes/No   If Yes, Citation	Is rulemaking necessary? Yes/No	Mandatory rulemaking? Yes/No	Law

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	rulemaking tended to:  Simplify Clarify Increase efficiency coordin	Clarify	Improve coordination with	Improve coordination with	Reduce regulatory	Delete obsolete, unnecessary or
455.203, 455.213, 455.275,					Other ageneres	costs	redundant rules
475.615, 475.6221, 475.623,		I					
475.6235, 475.630; 61-		×	×	×			
35.026							
20.165(8), 455.203, 455.213,							
455.2179, 455.271, 475.15,							
475.161, 475.17, 475.175,							
475.180, 475.181, 475.182,		×	×	×			
475.183, 475.215, 475.23,		,	3	>			
475.24, 475.451, 559.79; 61-							
35.027							

### Section 3

Updates to 2018-2019 Annual Regulatory Plan
2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	Notice of Rule  Development  Citation  (If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be

### Section 4

## Farm and Child Labor Licensing Unit

### Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

lemaking Development essary? Published? es/No Yes/No   If Yes, Citation	Mandatory rulemaking? Yes/No Yes/No  Mandatory Is rulemaking necessary? Yes/No Yes/No Citation

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

	T
N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary) $\mid$ Explanation of reason why the law may be implemented without rulemaking

### Florida Building Commission

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No   If Yes, Citation	Expected publication date for NPRM	If rulemaking is not neccessary? Explain
s. 11, Ch. 2019-86, L.O.F.	No	Yes	Yes, 5/23/18 v.44/101	TBD	
s. 6, Ch. 2019-75, L.O.F.	Yes	Yes	No	TBD	
Section 2					

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1

redundant rules	costs	other agencies	×		×		553.76, F.S.
unnecessary of	regulatory	coordination with	Increase efficiency   coordination with   regulatory	Clarify	Sumpuny	intended to:	
Delete obsolete,	Reduce	Improve				Is rulemaking	Law

### Section 3

## Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

# Other updates to 2018-2019 Annual Regulatory Plan

61G20-2.001 on July 1, 2019, Volume 45, Number 140, issue in the Florida Administrative Register. In order to improve the efficiency of its operational procedures, the Florida Building Commissioon published a Notice of Rule Development for Rule

### **Home Inspectors Licensing Unit**

### Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A				Law		
			Yes/No	rulemaking?	Mandatory	*
			Yes/No	necessary?	Is rulemaking	
	Chorage Cha	Citation	Yes/No If Yes,	Published?	Is rulemaking Development	Notice of
			for NPRM	밑	Expected	
			· · · · · · · · · · · · · · · · · · ·	If rulemaking is not necessary? Explain		

### Section 2

Laws not listed above that the agency expects to implement by rulem

Law Is rulemaking intended to: Simplify Clarify Increase efficiency coordinates of the co	Improve Reduce coordination with regulatory other agencies costs
	prove Reduce Regulatory agencies costs

### Section 3

# Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

### **Division of Hotels and Restaurants**

### Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

inclinating uneclive on the Division.						
Recent amendments to statutory law did not provide any	N/A	N/A	No	No	s. 6, ch. 2019-152, L.O.F.	
an affect on existing Division inspection procedures.						
Recent amendments to statutory law did not impact or have	N/A	N/A	N <sub>o</sub>	No	s. 8, ch. 2019-04, L.O.F.	
		Citation				
, , , , , , , , , , , , , , , , , , ,	for NPRM	Yes/No If Yes,	Yes/No	Yes/No		
If rulemaking is not necessary? Explain	publication date	Published?	necessary?	rulemaking?	Law	
	Expected	Development	Is rulemaking	Mandatory	1	
		Notice of				

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

I aw	Is rulemaking		2	In	Improve	Reduce	Delete obsolete,
24 44	intended to:	Simplify	Clarify	Increase efficiency coordination with regulatory	coordination with	regulatory	unnecessary or
509 032					other agencies	costs	redundant rules
303.032				×	×		Y
509.032, 509.035, 509.221		×	X	×	*		*
399 07 399 10		4			>		>
200 02 200 02 200 021		>	×	×	×		X
1077.02, 377.03, 377.001,							
399.07, 399.10, 559.79		×	×	×			

### Section 3

## Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

### **Labor Organizations Licensing Unit**

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

	Mandatory Is rulemaking Development rulemaking? necessary? Published? p  Yes/No Yes/No Yes/No Citation	
	es, for NPRM	
	If rulemaking is not necessary? Explain	

#### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following

N/A	Law	
	Is rulemaking intended to:	
	Simplify	,
	Clarify	
	Increase efficiency coordination with regulatory other agencies costs	The Course of th
	Improve coordination with other agencies	CHLY L.
	Reduce regulatory costs	
	Delete obsolete, unnecessary or redundant rules	

### Section 3

# Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

## **Mold-Related Services Licensing Unit**

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A	Law
	Mandatory rulemaking? Yes/No
	Is rulemaking necessary? Yes/No
	Notice of ing Development 7? Published? Yes/No   If Yes, Citation
	Expected publication date for NPRM
	If rulemaking is not necessary? Explain

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by

N/A	Law	
	Is rulemaking intended to:	
	Simplify	
	Clarify	
	Increase efficiency coordin	0
	Improve Reduce coordination with regulatory other agencies costs	- C
	Reduce regulatory costs	
	Delete obsolete, unnecessary or redundant rules	

### Section 3

Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

					N/A
If rulemaking is not necessary? Explain	Expected publication date for NPRM	g Development Published? Yes/No   If Yes,	Is rulemaking necessary? Yes/No	Mandatory rulemaking? Yes/No	Law
		Notice of			

			Citation	TATAL TATAL			
N/A			Cimuon				
Section 2							
Laws not listed above that the agency expects to implement by rulemaking by the following July	the agency expe	cts to implemen	it by rulemaking	g by the following	July 1.		
Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency coord	Improve coordination with other agencies	Reduce regulatory	Delete obsolete, unnecessary or
550.002, 550.01215,					Bosses	60060	renamant rules
550.0251, 550.054, 550.09514, 550.1155,							
550.105, 550.155, 550.1815, 550.235, 550.2415		×	×				
550.2625, 550.3551,							
550.3615, 550.495, 550.6305,							
550.1155 550.2415 F.S.		×	×				
550.0115, 550.01215,							
550.0251, 550.054, 550.0951,		4	•				
550.0155, 550.1815, 550.125,		>	×				
550.5251, 559.79, F.S.							
F.S.		×	×				
120.80, 550.0251, 550.1155,		×	∢				
550.235, 550.2415, F.S.		>	>				
550.125, 550.155, 550.1645,							
550.2633, 550.3551, 550.495,		×	×				
550.6305, 550.70, F.S.							

### Division of Pari-Mutuel Wagering

			55775 017115 1.D.
			551 122 559 79 849 15 ES
			551.117, 551.118, 551.121,
	×	>	551.112, 551.113, 551.114,
	•	4	551.107, 551.108, 551.109,
			551.1045, 551.105, 551.106,
			550.0251, 551.103, 551.104,
	×	×	550.0251, 849.086, FS
	×	>	F.S.
	4	4	550.0251, 550.105, 849.086,
			550.625, 550.6305, F.S.
			550.3551, 550.495, 550.615,
	j		550.2614, 550.2625, 550.354,
	×	×	550.1815, 550.2415,
			550.105, 550.125, 550.155,
			550.0251, 550.0351, 550.054,
			120.633, 120.80, 550.01215,
			F.S.
	×	×	550.615, 550.625, 550.6305,
		1	550.2625, 550.3551, 550.495,
			550.0251, 550.125, 550.155,
			550.655, F.S.
			550.625, 550.6305, 550.6335,
	;		550.0351, 550.3551, 550.615,
	×	×	550.2614, 550.2625,
			550.1647, 550.1648,
			550.09514, 550.125, 550.155,
			550.0251, 550.0951,

## Division of Pari-Mutuel Wagering

Section 3

Updates to 2018-2019 Annual Regulatory Plan
2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

### **Talent Agencies Licensing Unit**

Section 1

## 2019-2020 Annual Regulatory Plan

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

N/A				Law	•	
			Yes/No	rulemaking?	Mandatory	
			Yes/No	necessary?	Is rulemaking	
	( new on one	Citation	Yes/No If Yes,	Published?	ing Development	Notice of
			for NPRM	publication date	Expected	
				If rulemaking is not necessary? Explain		

### Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

N/A	Law
	Is rulemaking intended to:
	Simplify
	Clarify
	implify Clarify Increase efficiency coordination with regulatory other agencies costs
	Improve coordination with other agencies
	Reduce regulatory costs
	Delete obsolete, unnecessary or redundant rules

### Section 3

# Updates to 2018-2019 Annual Regulatory Plan

2018-2019 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

N/A	Law
	Notice of Rule Development Citation
	(If agency determined that rulemaking is unnecessary)   Explanation of reason why the law may be implemented without rulemaking

#### CERTIFICATION STATEMENT OF BUSINESS AND PROFESSIONAL REGULATION 2019-20 ANNUAL REGULATORY PLAN

I hereby certify pursuant to Section 120.74(1)(d), Florida Statutes:

[X] (1) That I have reviewed the Department of Business and Professional Regulation's 2019-2020 Annual Regulatory Plan.

[X] (2) That the Department of Business and Professional Regulation regularly reviews all of its rules to determine if the rules remain consistent with the Department of Business and Professional Regulation's rulemaking authority and the laws being implemented, with the most recent review having been completed June 30, 2019.

Halsey Beshears, Secretary

Raymond Treadwell, General Counsel