

***2019-2020 AGENCY
ANNUAL REGULATORY PLAN***



Halsey Beshears, Secretary

Ron DeSantis, Governor

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

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
Ch. 2019-14, L.O.F.	No	Yes	Yes, 7/9/19 v.45/132	7/10/2019 v.45/133	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.
Ch. 2019-81, L.O.F.	No	No			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.
Ch. 2019-173, L.O.F.	No	No			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.

Division of Alcoholic Beverages and Tobacco

Ch. 2019-178, L.O.F.	No	No								<p>The law creates an overlay district in Kissimmee to be known as the "Downtown Community Redevelopment District." Restaurants located in the overlay district will be eligible to obtain a special alcoholic beverage license under more lenient requirements than General Law pertaining to the minimum square footage of service area and the number of persons the restaurant must be equipped to serve at one time. Rulemaking by the Division is not necessary to implement.</p>
Ch. 2019-182, L.O.F.	No	No								<p>The law creates an overlay district in St. Cloud to be known as the "Downtown Restaurant Area." Restaurants located in the overlay district will be eligible to obtain a special alcoholic beverage license under more lenient requirements than General Law pertaining to the minimum square footage of service area and the number of persons the restaurant must be equipped to serve at one time. Rulemaking by the Division is not necessary to implement.</p>

Section 2

Laus 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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
561.42(14)(a), F.S.			X				
562.03 and 565.03, F.S.			X				
565.045, F.S.			X				

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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Asbestos Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
N/A					

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	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Athlete Agents Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
N/A					

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Division of Condominiums, Timeshares, and Mobile Homes

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
718.112, F.S.	No	No			Existing rulemaking language is sufficient to comply with statutory objectives.
718.1085, F.S.	No	No			Existing rulemaking language is sufficient to comply with statutory objectives.

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	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
326.002, F.S.		X					
326.004, F.S.		X	X				
718.501, F.S.		X					
718.621, F.S.		X					

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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Division of Drugs, Devices, and Cosmetics

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
499.0285, F.S.	Yes	Yes	N/A	Awaiting Authorization by U.S. HHS	Program and Rulemaking dependent upon Authorization for Program by United States Department of Health and Human Services.
499.01(2)(c), F.S.	Yes	Yes	N/A	Awaiting Authorization by U.S. HHS	Program and Rulemaking dependent upon Authorization for Program by United States Department of Health and Human Services.
499.01(2)(s), F.S.	Yes	Yes	N/A	Awaiting Authorization by U.S. HHS	Program and Rulemaking dependent upon Authorization for Program by United States Department of Health and Human Services.

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
499.012, F.S.		X	X	X			

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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

DBPR Departmental Rules

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
489.514, F.S.	Yes	Yes	Expected Oct. 2019	Nov. 2019	

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
455.203, 455.213, 455.275, 475.615, 475.6221, 475.623, 475.6235, 475.630; 61-35.026		X	X	X			
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, 475.24, 475.451, 559.79; 61-35.027		X	X	X			

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

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

Section 4

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Farm and Child Labor Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain		
N/A							

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Florida Building Commission

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? 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

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
553.76, F.S.		X		X			

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

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

Other updates to 2018-2019 Annual Regulatory Plan

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

Home Inspectors Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain		
N/A							

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Division of Hotels and Restaurants

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
s. 8, ch. 2019-04, L.O.F.	No	No	N/A	N/A	Recent amendments to statutory law did not impact or have an affect on existing Division inspection procedures.
s. 6, ch. 2019-152, L.O.F.	No	No	N/A	N/A	Recent amendments to statutory law did not provide any rulemaking directive on the Division.

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	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
509.032				X	X		X
509.032, 509.035, 509.221		X	X	X	X		X
399.02, 399.10		X	X	X	X		X
399.02, 399.03, 399.061, 399.07, 399.10, 559.79		X	X	X			X

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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Labor Organizations Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
N/A					

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Mold-Related Services Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
N/A					

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	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Division of Pari-Mutuel Wagering

2019-2020 Annual Regulatory Plan

Section 1

Laus 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 necessary? Explain			
N/A								

Section 2

Laus 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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
550.002, 550.01215, 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, 120.80, 550.0251, 550.054, 550.1155, 550.2415, F.S.		X	X				
550.0115, 550.01215, 550.0251, 550.054, 550.0951, 550.0155, 550.1815, 550.125, 550.5251, 559.79, F.S.		X	X				
550.0251, 550.105, 559.79, F.S.		X	X				
120.80, 550.0251, 550.1155, 550.235, 550.2415, F.S.		X	X				
550.0251, 550.0425, 550.105, 550.125, 550.155, 550.1645, 550.2633, 550.3551, 550.495, 550.6305, 550.70, F.S.		X	X				

Division of Pari-Mutuel Wagering

550.0251, 550.0951, 550.09514, 550.125, 550.155, 550.1647, 550.1648, 550.2614, 550.2625, 550.0351, 550.3551, 550.615, 550.625, 550.6305, 550.6335, 550.655, F.S.		X	X				
550.0251, 550.125, 550.155, 550.2625, 550.3551, 550.495, 550.615, 550.625, 550.6305, F.S.		X	X				
120.633, 120.80, 550.01215, 550.0251, 550.0351, 550.054, 550.105, 550.125, 550.155, 550.1815, 550.2415, 550.2614, 550.2625, 550.354, 550.3551, 550.495, 550.615, 550.625, 550.6305, F.S.		X	X				
550.0251, 550.105, 849.086, F.S.		X	X				
550.0251, 849.086, FS							
550.0251, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.113, 551.114, 551.117, 551.118, 551.121, 551.122, 559.79, 849.15, F.S.		X	X				

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**

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

Talent Agencies Licensing Unit

2019-2020 Annual Regulatory Plan

Section 1

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 necessary? Explain
N/A					

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	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or 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

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

Other updates to 2018-2019 Annual Regulatory Plan

N/A

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

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

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

(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