

Committee on Governmental Oversight and Accountability

HB 7023 — Administrative Procedures

by Rulemaking Oversight and Repeal Subcommittee and Rep. Ray (CS/SB 7056 by Appropriations Committee and Governmental Oversight and Accountability Committee)

The bill replaces the biennial summary reporting requirement with an expanded, annual regulatory plan prepared by each agency. It requires each state agency to determine whether each new law creating or affecting the agency's authority will require new or amended rules. If so, the agency must initiate rulemaking by November 1. If not, the agency must state concisely why the law may be implemented without additional rulemaking. The regulatory plan also must identify each existing law for which the agency will initiate rulemaking in the current fiscal year. The agency head and the agency's principal legal advisor must certify that they have reviewed the plan and that the agency conducts a review of its rulemaking authority.

The existing 180-day requirement is revised to coincide with the specific publishing requirements for state agencies that consist of October 1 for the regulatory plan, November 1 for the rule development and April 1 (of the year following the deadline for the regulatory plan) for the notice of proposed rule. The deadline for notice of proposed rule may be extended if the state agency publishes a notice of extension and includes a concise statement identifying issues causing the delay. This extension will expire on October 1; however, the regulatory plan published on October 1 may further extend the proceeding.

The bill repeals s. 120.7455, F.S., pertaining to the online survey of regulatory impacts. Additionally, the bill rescinds the suspension of rulemaking authority made under s. 120.745, F.S.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 118-0