



THE FLORIDA SENATE
SENATOR BEN ALBRITTON
President

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Legislation to Enhance Transparency & Government Oversight Signed Into Law
SB 108 by Senator Grall modernizes Florida's administrative rulemaking process and improves transparency of state licensing

Tallahassee—Senate Bill (SB) 108, Administrative Procedures, by Senator Erin Grall (R-Vero Beach) was signed into law yesterday by Florida Governor Ron DeSantis. The bill improves government oversight and accountability over agency rulemaking, creating a clear, consistent annual review and repeal process for administrative rules. SB 108 also increases transparency for state licensing by creating requirements for tracking agency compliance with statutory timeframes to ensure Floridians applying for a license receive a timely response.

“This bill modernizes Florida’s rulemaking process, creating a routine and comprehensive evaluation process for administrative rules and increased transparency and reporting for state licensing,” said Senate President Ben Albritton (R-Wauchula). “One of the reasons DOGE efforts at the federal level have become so popular is that people have a problem with unelected federal bureaucrats having so much unchecked authority. Florida is not immune from that kind of scrutiny. Outdated and unnecessary rules can cause burdensome bureaucracy, hindering transparency for Floridians, and creating barriers for citizens and businesses struggling to comply. This bill reduces the administrative state and helps keep our state government accountable to Floridians.”

“The new process outlined in this bill improves oversight and accountability for everyone involved, including the Legislature. It is our responsibility to make sure bills we pass are implemented properly, so we can make changes if needed,” said Senator Grall. “This bill creates a thorough, systematic review to determine if existing agency rules are functioning to appropriately implement the law, or if certain rules need to be updated, amended or repealed. All materials related to rule reviews, including any changes, will also be made available online in a timely manner and easy-to-read format, enhancing transparency and public engagement in the rulemaking process.”

SB 108 amends the Administrative Procedures Act (APA), which provides a uniform set of procedures Florida state agencies must follow when exercising rulemaking authority delegated by the Florida Legislature.

The bill amends the APA's rulemaking process to provide for additional public input and transparency. The bill also:

- Mandates an agency conduct a review of all of its existing rules over the next five years. The review must examine the rule's consistency with the powers and duties granted by the agency's enabling statutes and any need for update.
- Requires a review during the fifth year of each new rule adopted after July 1, 2025. This review mimics the existing rule review described above.
- Requires an agency to file a notice of rule development within 30 days of legislation mandating rulemaking, and to file a notice of proposed rule within 180 days thereafter. If the agency fails to meet this timeframe, and does not file an extension notice with the Joint Administrative Procedures Committee (JAPC), then it must withdraw the rule and begin rulemaking again.
- Requires at least seven days between the publications of a notice of rule development and a notice of proposed rule to allow for better public notice during rulemaking.
- Requires any material incorporated by reference to be published with the notice of proposed rule, made available in an electronic searchable format, and coded with underlining and strike-throughs to make it easier to determine changes made to its text.
- Requires the full text of emergency rules be published in the Florida Administrative Code.
- Provides for additional public input in the statement of estimated regulatory cost (SERC) by allowing an individual to request a SERC workshop.
- Supplements the agency evaluation of transactional costs and market impacts in its creation of a SERC by providing specific examples of such costs and impacts.
- Prohibits the sunset or repeal of a rule by its own terms, unless specifically provided for in the underlying statute that provides authority to adopt the rule.
- Requires an agency to withdraw a rule not ratified by the Legislature within one regular legislative session after its referral to the body. If an underlying mandatory delegation of rulemaking authority persists at the time the agency withdraws the rule, then the agency must reinitiate rulemaking within 90 days of adjournment sine die.
- Requires each agency to publish specific licensing data in its annual agency regulatory plan.

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