

**Department of Economic Opportunity's 2020-2021 Annual Regulatory Plan**

Pursuant to section 120.74, F.S., the Department of Economic Opportunity ("DEO" or "the Department") has prepared the following Annual Regulatory Plan.

**Section 120.74(1)(a), F.S.**

The plan must include a listing of each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency. The following Laws of Florida and F.S. were enacted or amended during the previous 12 months which create or modify the duties or authority of the agency:

A) Chapter 2020-93, International Affairs

This law was amended to modify portions of the Florida Statutes related to International Affairs. The law was modified to require the Secretary of State to serve as the state protocol officer; to require that certain organizations provide notice of international travel to the Department of State, rather than the Department of Economic Opportunity; to authorize the Department of State to support the establishment of citizen support organizations for certain purposes; and to prohibit the Department of State from allowing a citizen support organization to use certain services, property, or facilities if the organization does not provide equal membership and employment opportunities, etc.

This statutory change does not require DEO to engage in rulemaking.

B) Chapter 2020-30, Economic Development

This law was amended to revise the responsibilities of divisions within the Department of Economic Opportunity; to specify that the concept of building the professional capacity of a regional economic development organization includes the hiring of professional staff to perform specified services; to revise the maximum percentage of total infrastructure project costs for which the department may award grants; and to replace CareerSource Florida, Inc. with the state board or the department in provisions relating to the implementation of the federal Workforce Innovation and Opportunity Act, etc.

The Department may adopt rules necessary to administer this chapter.

C) Chapter 2020-34, Public Records/Disaster Recovery Assistance

This law provides an exemption from public records requirements for property photographs and personal identifying information provided to specified entities by certain persons for the purpose of disaster recovery assistance; provides for future legislative review and repeal of the exemption; provides a statement of public necessity; etc.

The Department is not required to adopt rules related to this law as the law does not impart rulemaking authority.

D) Chapter 2020-122, Community Planning

This chapter provides requirements for establishing a quorum for meetings of certain councils when a voting member appears via telephone, real-time videoconferencing, or similar real-time electronic or video communication; requires the member to give notice of intent to appear via telephone, real-time videoconferencing, or similar real-time electronic or video communication by a specified time; requires the Department of Economic Opportunity to give a preference to certain counties and municipalities when selecting applications for funding for technical assistance; etc.

The Department is not required to adopt rules related to this law as the law does not impart rulemaking authority.

E) Chapter 2020-27, Community Affairs

This law was amended to remove the Department from the law as it pertains to consulting the Department regarding the use of regulatory incentives by applicants.

The Department may adopt rules related to this law.

**Section 120.74(1)(b), F.S.**

This section requires that the plan include a listing of each law not otherwise listed pursuant to subsection (a) which the agency expects to implement by rulemaking before the following July 1, except emergency rulemaking. The Department expects to implement the following laws by rulemaking:

A) The Department intends to engage in rulemaking to revise and/or amend rules in Chapter 73C-23, F.A.C., which implements the Florida Small Cities Community Development Block Grant Program provided for in sections 290.0401-290.048, F.S. The purpose of these rule revisions/amendments will be to improve and clarify existing rules.

B) The Department's Special District Accountability Program, which administers the Department's responsibilities set forth in Part VI, Chapter 189, Florida Statutes, intends to revise and/or amend rule 73C-24.003, Florida Administrative Code. The proposed amendments provide clarity concerning the annual update and annual fee schedule applicable to Florida's special districts.

C) The Department intends to revise and/or amend rules in Chapter 73C-1, F.A.C., which implements the Black Business Loan Program provided for in section 288.7102, F.S. The purpose of these rule revisions/amendments will be to improve and clarify the application process.

D) The Department intends to repeal several sections of Rule 73A-3 within the Entertainment Industry Financial Incentive Program. The rules to be repealed concern the verification of actual qualified expenditures and withdrawal of tax credit eligibility. The transfer of tax credits will remain.

E) The Department intends to repeal rules regarding the Spaceflight Business Tax Credit Program, Rule 73A-5. The Spaceflight Tax Credit Program rules will be repealed as there were no applicants to the program and the deadline in which to apply has lapsed. Therefore, there is no necessity for the rules regarding the program.

F) Chapter 73B-1, which involves Workforce Services, will be corrected to address issues raised by JAPC regarding rulemaking authority. The modifications to the rule clarify and delete portions of the rule. Rule 73B-1.014 will not have any corrections at this time.

G) The Department intends to amend certain rules within Chapter 73B-10. The specific rules include 73B-10.023, .024, .025, .026, and .037. The rules are being amended to facilitate electronic processes, online filing, and to update forms and contact information. The rules will be amended in conjunction with the Department of Revenue requests.

H) The Department intends to update rules within Chapter 73B-11 regarding Unemployment Claims and Benefits and Florida Unemployment Compensation Claims and Benefits. The rule change will allow certain forms to be updated reflecting changes to the underlying statute. Specific rules to be updated include 73B-11.013, .015, .020, .022, .024, and .028.

**Section 120.74(1)(c), F.S.**


This section requires that the plan include any desired update to the prior year's regulatory plan or supplement published which was published pursuant to section 120.74(7). The Department does not have any updates to its 2019-2020 Annual Regulatory Plan.

**Section 120.74(1)(d), F.S.**

The agency head and the person acting as the principal legal advisor to the agency head certify the following:

1. The agency head and the principal legal advisor to the agency head have each reviewed this plan.
2. The agency regularly reviews all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and laws implemented. This was most recently done in June 2020.

  
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Dane Eagle, Executive Director  
Department of Economic Opportunity  
Date: September 30, 2020

  
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Mark A. Buckles, Interim General Counsel  
Department of Economic Opportunity  
Date: September 30, 2020