

Department of Economic Opportunity's 2021-2022 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 Florida Statutes were enacted or amended during the previous 12 months which create or modify the duties or authority of the agency:

A) Chapter 2021-24, Broadband Internet Infrastructure

This law creates the Florida Broadband Deployment Act of 2021 as Part XV of chapter 288, F.S., by creating sections 288.961, 288.962, and 288.963, F.S. It tasks the Florida Office of Broadband, which is within the Department's Division of Community Development, with developing a strategic plan that supports the expansion of broadband internet services to consumers who are without access to service and with developing geographic information system maps. It creates within the Department the Broadband Opportunity Program, which is tasked with receiving and reviewing grant applications, awarding grant funding, and acting as the fiscal agent for the program.

The Department may adopt rules necessary to administer Part XV.

B) Chapter 2021-25, Department of Economic Opportunity

This law was amended to revise Florida's Reemployment Assistance program in order to modernize, increase efficiency and effectiveness, and provide for additional accountability. The Department is required to implement an integrated, modular system hosted in a cloud service for the Reemployment Assistance program. DEO is further required to submit an annual Reemployment Assistance Claims and Benefits Information System report to the Governor and the Legislature starting October 1, 2023. The law also creates section 443.1118, Florida Statutes, which allows for employer-assisted claims in the event of mass separations and sets forth the procedures for initiating and submitting such claims, notice requirements, effective dates, and claimant filing requirements.

The Department is required to adopt rules establishing additional procedures for filing an employer-assisted claim. The Department may adopt additional rules to administer the rest of this chapter.

C) Chapter 2021-31, Taxation

This law repeals section 288.11625, F.S., relating to sports development.

The Department will repeal Rule 73A-2.007, F.A.C., which implements and was authorized by the repealed statute.

D) Chapter 2021-162, Educational Opportunities Leading to Employment

This law revises Chapter 445, F.S. by renaming the Florida Ready to Work Certification Program as the Florida Ready to Work Credential Program and requiring the Department, in conjunction with the Department of Education, to establish institutional readiness criteria and identify the employability skills in demand by employers.

The Department shall adopt rules to administer this chapter.

E) Chapter 2021-164, Workforce Related Programs and Services

The law amends section 445.003, F.S., pertaining to the Workforce Innovation and Opportunity Act (WIOA) by requiring the Department to develop rules to implement the submission, review, and approval of local workforce plans, eligibility criteria for training providers, and monitor program compliance. It also amends section 445.011, F.S., and requires the Department, in conjunction with the Department of Education, to implement an automated consumer-first workforce system and develop the minimum training criteria for partners. It amends section 445.033, F.S., to require the Department, in conjunction with the Department of Children and Families, to measure the performance of workforce programs.

The Department shall adopt rules to implement Chapter 445, F.S.

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. For each law listed under this paragraph, the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce regulatory costs, or delete obsolete, unnecessary, or redundant rules. The Department expects to implement the following laws by rulemaking:

A) The Department will repeal all rules within Chapter 73A-3, F.A.C., the Entertainment Industry Financial Incentive Program. These rules are obsolete due to the repeal of section 288.1254, F.S.

B) Rule 73B-6.001, F.A.C., which implements section 446.71, F.S., The Everglades Restoration Agricultural Community Employment Training Program, will be updated to clarify the application process.

C) Chapter 73B-11, F.A.C., which implements chapter 443, F.S., relating to unemployment claims and benefits, will be amended to reflect changes to forms, names, and other technical corrections and thereby improve efficiency. Specifically, Rules 73B-11.013, .015, .020, .022, .024, and .028, F.A.C., will be updated.

D) Chapter 73B-20, F.A.C., related to the Reemployment Assistance Appeals Commission and Hearings Before Appeals Referees and set forth in sections 443.014 and 443.151, F.S., will be amended to clarify the requirements for filing notices of appeal and for the dismissal of appeals,

and also to update the address for online submission and withdrawals. Specifically, Rules 73B-20.003, .004, .022, and .024, F.A.C. will be modified to streamline and clarify the appeals process.

E) The Department intends to revise 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 the revisions will be to improve and clarify the existing rules.

F) The Department intends to amend Rule 73C-49.001, F.A.C., which implements section 163.3191, F.S., to clarify the rule by adding three newly created local governments to the schedule set forth therein.

G) The Department will be creating rules necessary to notice applicants for community contribution tax credits awarded under section 220.182, F.S., of the application and monitoring procedures. The Department may make rules to implement this section, but currently has none. These rules are intended to clarify and improve efficiency in the award of tax credits.

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 pursuant to section 120.74(7), F.S.

The Department has no updates to its 2020-2021 Annual Regulatory Plan.

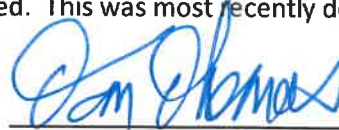
Section 120.74(1)(d), F.S.

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 May 2021.



Dane Eagle, Secretary
Department of Economic Opportunity
Date: September 24, 2021



Tom Thomas, General Counsel
Department of Economic Opportunity
Date: September 30, 2021