

**Department of Economic Opportunity's 2019-2020 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 2019-80, Unemployment Compensation**

This law modifies portions of the Florida Statutes related to Reemployment Assistance. This law amends section 443.101(1)(a), Florida Statutes, to provide that an individual is not disqualified from receiving Reemployment Assistance benefits if the individual voluntarily left work due to circumstances directly related to domestic violence. This law also amends section 443.131(3)(a), Florida Statutes, to provide that an employer's employment record may not be charged if the individual's separation from work is a direct result of domestic violence.

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

**B) Chapter 2019-103, Higher Education**

This law amends section 1001.706(5)(e), Florida Statutes, to add that the Board of Governors must enter into an agreement with the Department to allow access to individual reemployment assistance wage records that are maintained by the Department. These records may be used only for the purposes of auditing or evaluating higher education programs offered by state universities.

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

**C) Chapter 2019-115, Specific Appropriation 2314, General Appropriations Act and Chapter 2019-116, Section 98, Implementing the 2019-2020 General Appropriations Act**

For the 2019-2020 state fiscal year, Chapter 2019-115, specific appropriation 2314, and Chapter 2019-116, Section 98, provided specific funding for, and amended the Rural Infrastructure Fund Program statute at, section 288.0655(6) of the Florida Statutes. The specific appropriation and the implementing

amendment collectively authorize the appropriation of funding to facilitate planning, preparation, and financing of infrastructure projects in certain rural communities.

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

**D) Chapter 2019-119, Workforce Education**

This law amends and revises section 1004.015, Florida Statutes, including renaming the Higher Education Coordinating Council as the Florida Talent Development Council. The membership, duties, and responsibilities of the council are defined, and the executive director of the Department of Economic Opportunity is a statutorily required member of the council. The council is required to submit a strategic plan to the Governor and Legislature by a specified date. The law requires the Department of Economic Opportunity to provide administrative support for the council.

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

**E) Chapter 2019-163, Community Redevelopment Agencies**

As it relates to DEO, this legislation creates a new section 163.3756, F.S., and amends section 218.32, F.S., related to community redevelopment areas (CRAs). The additional responsibilities for DEO's Special District Accountability Program are set forth therein as follows: maintain and monitor a new report filed annually by the Florida Department of Financial Services that lists each CRA that has reported no revenues, no expenditures or no debt for the CRA's previous fiscal year; determine when a CRA has reported no revenues, no expenditures and no debt for six consecutive fiscal years beginning on October 1, 2016; declare a CRA inactive when DEO documents that it has reported no revenues, no expenditures and no debt for six consecutive fiscal years beginning on October 1, 2016; notify the CRA that DEO has declared it to be inactive. If the CRA has no governing body members or no registered agent, notify the governing board or commission of the county or municipality that created the CRA; respond to any proceedings filed under section 189.062(5) by the governing body of the CRA within 30 days after the date of receipt of the notice from DEO to invalidate DEO's declaration of inactive status; create, maintain, and publish a separate list of inactive CRAs on DEO's website along with the Official List of Special Districts Online.

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

**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 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.

B) 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.

C) The Department intends to revise and/or amend rule 73C-24.003, F.A.C., which implements the Special District Accountability Program, provided for in Part VI, Chapter 189, Florida Statutes. The purpose of these rule revisions/amendments will be to improve and clarify existing rules.

**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 has the following updates to its 2018-2019 Annual Regulatory Plan:

A) Between 11/17/18 and 11/28/18, the Department worked with the Joint Administrative Procedures Committee to effectuate a technical change to remove the following rules from the Florida Administrative Code: 73C-45.013; 73C-46.003; 73C-46.004; 73C-46.006; 73C-46.0071; 73C-46.0081; 73C-46.0091; 73C-46.020; 73C-46.021; 73C-46.022; 73C-46.034; 73C-47.003. These technical changes were necessitated by the enactment of Chapter 97-253, Laws of Florida (eff. May 30, 1997).

**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, on a rolling basis since the completion of the most recent Annual Regulatory Plan, has reviewed all of its rules to determine if the rules remain consistent with the agency's rulemaking authority and laws implemented.



Ken Lawson, Executive Director  
Department of Economic Opportunity  
Date: September 11, 2019



William Chorba, General Counsel  
Department of Economic Opportunity  
Date: September 12, 2019