



FLORIDA DEPARTMENT OF CORRECTIONS

2022-2023 REGULATORY PLAN

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PART 1 – Laws Creating or Modifying the Duties or Authority of the Agency

This part fulfills the requirements of section 120.74(1)(a), Florida Statutes, which requires an agency to provide a listing of each law created or amended during the previous twelve months which “creates or modifies the duties or authority of the agency.” Where two or more such laws were amended or created by a common piece of legislation, those laws are listed together.

- 1. Sections 15.21, 16.061, 97.022, 97.0291, 97.052, 97.057, 97.0575, 98.065, 98.0655, 98.075, 98.093, 100.041, 100.371, 101.019, 101.043, 101.051, 101.151, 101.5614, 101.6103, 101.65, 101.655, 101.69, 102.031, 102.091, 102.101, 104.0616, 104.185, 104.186, 124.011, and 921.0022, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 2. Sections 27.0065, 27.341, 27.511, 27.53, 39.0132, 92.153, 110.123, 112.19, 112.1912, 320.025, 393.12, 394.916, 744.331, 943.053, 945.10, 945.48, and 985.045, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 3. Sections 98.015, 119.0725, and 282.318, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 4. Sections 112.18, and 943.13, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 5. Sections 320.08053, 320.08056, and 320.08058, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.
- 6. Section 397.6760, Florida Statutes**
Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

7. Sections 900.05, 908.102, 908.11, and 908.111, Florida Statutes

Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

8. Sections 944.31, 948.01, 948.03, 948.05, and 948.15, Florida Statutes

Rulemaking does appear necessary to implement these laws by amending Rule 33-302.110 of the Florida Administrative Code. The Department has not published a Notice of Rule Development. The Department expects to publish a Notice of Proposed Rule no later than April 1, 2023.

9. Sections 944.801, 951.176, and 1011.80, Florida Statutes

Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

10. Section 945.10, Florida Statutes

Rulemaking does appear necessary to implement these laws by amending Rule 33-601.901 of the Florida Administrative Code. The Department has not published a Notice of Rule Development. The Department expects to publish a Notice of Proposed Rule no later than April 1, 2023.

11. Section 945.10, Florida Statutes

Rulemaking does not appear necessary to implement this law. The law appears to be sufficiently clear and detailed such that any rules implementing them would be unnecessary and, perhaps, duplicative of the law.

PART 2 – Expected Implementation of Other Laws During Fiscal Year 2022-2023

This part fulfills the requirements of section 120.74(1)(b), Florida Statutes, which requires an agency to list each law that the agency expects to implement by rulemaking before July 1 of the following year, except in instances requiring emergency rulemaking. The list below includes laws grouped together where those laws would be implemented by a common rulemaking initiative, such as the amendment of a single rule, the amendment of multiple rules within a single chapter of the Florida Administrative Code, or the amendment of rules that appear in different chapters of the Code from one another but are nonetheless related. Also, some laws listed below are listed more than once because they would be implemented by more than one Department of Corrections rule.

1. Section 944.09, Florida Statutes

The Department expects to implement this law by amending Rule 33-204.002 of the Florida Administrative Code to incorporate changes in the Health Services rule associated with the Department migrating to Electronic Medical Records (EMR).

2. Section 944.09, Florida Statutes

The Department expects to implement this law by amending Rule 33-204.003 of the Florida Administrative Code to incorporate changes in the Health Services rule associated with the Department migrating to Electronic Medical Records (EMR).

3. Section 944.09, Florida Statutes

The Department expects to implement this law by amending Rule 33-208.101 of the Florida Administrative Code to clarify the Rule.

4. Sections 20.315, 944.09, and 944.11, Florida Statutes

The Department expects to implement these laws by amending Rule 33-210.102 of the Florida Administrative Code to clarify the rule and increase efficiency.

5. Sections 20.315, 944.09, and 944.11, Florida Statutes

The Department expects to implement these laws by amending Rule 33-210.103 of the Florida Administrative Code to clarify the rule and increase efficiency.

6. Sections 20.315, and 790.06, Florida Statutes

The Department expects to implement these laws by amending Rule 33-302.104 of the Florida Administrative Code intended to update and clarify the rule and improve processes with the agency.

7. Sections 90.05, 944.09, 944.11, and 944.803, Florida Statutes

The Department expects to implement these laws by amending Rule 33-503.001 of the Florida Administrative Code to clarify the rule.

8. Sections 20.315, 944.09, 944.115, 944.14, 944.279, and 944.28, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.314 of the Florida Administrative Code to clarify the rule.

9. Sections 944.09, 944.275, 944.281, and 944.801, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.604 of the Florida Administrative Code to clarify the rule and increase efficiency.

10. Sections 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.725 of the Florida Administrative Code to clarify the rule and increase efficiency.

11. Sections 944.09, and 944.241, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.800 of the Florida Administrative Code to clarify the rule.

12. Section 944.09, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.830 of the Florida Administrative Code to clarify the rule and increase efficiency.

13. Sections 20.315, 944.09, and 944.241, and 945.04, Florida Statutes

The Department expects to implement these laws by amending Rule 33-602.220 of the Florida Administrative Code to clarify the rule and increase efficiency.

14. Sections 20.315, 944.09, and 944.241, Florida Statutes

The Department expects to implement this law by amending Rule 33-602.222 of the Florida Administrative Code to clarify the rule and increase efficiency.

PART 3 – Updates to the Agency’s 2021-2022 Regulatory Plan

This part fulfills section 120.74 (1)(c), Florida Statutes, which states that an agency’s annual regulatory plan must include any desired update to the prior year’s regulatory plan or supplements to that plan. No supplements to the agency’s 2021-2022 Regulatory Plan were published. Updates to the 2021-2022 Department of Corrections Regulatory Plan are discussed below.

Updates to Part 1 of the 2021-2022 Plan

Paragraphs 2-7 and 9 of Part 1 of the 2021-2022 Plan require no updates

- 1. Sections 16.10, 16.101, 163.503, 16.504, 163.504, 163.5055, 163.506, 163.508, 163.511, 163.517, 163.519, 163.521, 163.5215, 163.522, 163.523, 163.514, 376.84, 402.181, 501.160, 775.083, 812.171, 812.173, 812.174, 812.175, and 812.176, Florida Statutes**
Rule 33-203.801 of the Florida Administrative Code was adopted effective February 2, 2022.
- 8. Sections 943.13, 943.131, 943.133, 943.134, 943.1395, 943.1735, 943.1740, 943.19, 943.6872, and 985.031, Florida Statutes**
Rule 33-602.210 of the Florida Administrative Code was adopted effective March 1, 2022.

Updates to Part 2 of the 2021-2022 Plan

Paragraphs 2-4 and 15 of Part 2 of the 2021-2022 Plan require no updates

1. Section 944.09, Florida Statutes

Rule 33-210.201 of the Florida Administrative Code was adopted effective February 10, 2022.

5. Sections 20.315, 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.713 of the Florida Administrative Code to clarify the rule. The Department published a Notice of Rule Development on July 6, 2022.

6. Sections 20.315, 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.715 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

7. Sections 20.315, 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.716 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

8. Sections 20.315, 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.717 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

9. Sections 20.315, 944.09, and 944.23, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.722 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

10. Sections 20.315, 944.09, 944.23, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.723 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

11. Sections 20.315, 944.09, 944.23, 944.47, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.726 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

12. Sections 944.09, 944.23, 944.47, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.727 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

13. Sections 944.09, 944.115, 944.23, 944.47, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.731 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

14. Sections 944.09, 944.23, and 944.8031, Florida Statutes

The Department expects to implement these laws by amending Rule 33-601.732 of the Florida Administrative Code to clarify the rule and increase efficiency. The Department published a Notice of Rule Development on July 6, 2022.

16. Section 944.09, Florida Statutes

Rule 33-602.205 of the Florida Administrative Code was adopted effective May 12, 2022.

Updates to Part 3 of the 2021-2022 Plan

**Part 1 of the 2020-2021 requires no updates.*

Updates to Part 2 of the 2020-2021 Plan

Paragraphs 1-6, 9-11 of Part 2 of the 2020-2021 Plan require no updates.

7. Sections 20.314, and 944.09, Florida Statutes

Rule 33-210.101 of the Florida Administrative Code was adopted effective November 29, 2021.

8. Sections 944.09, 945.42, and 945.49, Florida Statutes

Rule 33-404.103 of the Florida Administrative Code was adopted effective February 10, 2022.

12. Section 944.09, Florida Statutes

Rule 33-602.205 of the Florida Administrative Code was adopted effective May 12, 2022.

Updates to Part 3 of the 2021-2022 Plan

**Part 1 and 2 of the 2020-2021 requires no updates*

Updates to Part 3 of the 2020-2021 Plan

**Part 3 of the 2020-2021 Plan provides updates to the 2019-2020 Plan. Part 1 and Part 3 of the 2019-2020 Plan requires no updates.*

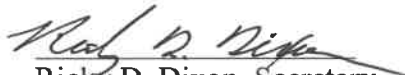
Updates to Part 2 of the 2019-2020 Plan

Paragraphs 1-4, 6, 9-13, 16-18 of Part 2 of the 2019-2020 Plan require no updates.


5. **Sections 944.05, 944.275, and 944.28, Florida Statutes**
Rule 33-601.105 of the Florida Administrative Code was adopted,
effective October 21, 2021.

PART 4- Certification

We, the undersigned persons, hereby certify on behalf of the Department of Corrections (the “agency”) that we have reviewed this Regulatory Plan, that the agency regularly reviews all of its rules, and that all of the agency’s rules were most recently reviewed between June 23 and July 25, 2022, to determine if the rules remain consistent with the agency’s rulemaking authority and the laws implemented.


Ricky D. Dixon, Secretary

9/27/22
Date


Lance Neff, General Counsel

27 Sept 2022
Date